

13.01.2021
Item No.24
Ct.No.28
Subha
rejected

C.R.M. 227 of 2021
(Via Video Conference)

Suman Adhikary
-vs-
The State of West Bengal

In Re: An application for bail under Section 439 Cr.P.C in connection with Swarupnagar P.S. Case No.435 of 2018 dated August 23, 2018 under Sections 363/365 of the Indian Penal Code and adding Sections 325/307/364A/120B IPC.

Mr. Angshuman Chakraborty

... For the Petitioner.

Mr. Saswata Gopal Mukherji, PP
Mr. Rudradipta Nandy

... For the State.

The learned advocate appearing for the petitioner submits that the petitioner is in custody for a period of two years three months. Additionally, learned advocate for the petitioner submits that the accused is on the same footing with one Hasan Kabir Molla alias Dimple who was granted bail by a co-ordinate Bench of this Court. The next date according to the learned advocate for the petitioner is fixed on 19th January, 2021.

Mr. Nandy, learned advocate appearing for the State opposes the prayer for bail and draws the attention of this Court to the previous orders passed by this Court.

He further submits that the present petitioner along with others demanded ransom and the present petitioner was identified in the T. I. Parade.

We have taken into account the materials appearing against the present petitioner as well as the fact that a co-ordinate Bench of this Court on October 21, 2020 in CRM 8280 of 2020 was pleased to take into consideration the submission of the learned advocate appearing for the petitioner that co accused persons similarly placed have already been granted bail and rejected the bail of the petitioner.

Having regard to the fact that the case has already been committed to the court of Sessions and the next date is fixed on 19th January, 2021 for appointment of Public Prosecutor, we are not inclined to release the present petitioner on bail at this stage.

Accordingly, the prayer for bail of the present petitioner is rejected.

As such, we direct the learned trial court to expedite the process of consideration of charge within a reasonable period of time.

The application for bail being CRM 227 of 2021 is, accordingly, disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)