

(Via Video Conference)

CRM 750 of 2021

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Mothabari Police Station** Case No. **229 of 2020** dated **24.06.2020** under Sections **302/34** of the Indian Penal Code.

- A n d -

In the matter of : Biren Mandal

.... Petitioner.

Mr. P. Sinha Roy

... For the Petitioner.

Mr. Sudip Ghosh,
Mr. B. Banerji,

... For the State.

The petitioner is one of the three accused persons. The charge is grave. The prosecution case is that the accused persons forcibly tried to take away the crop cultivated by the victim. Upon the victim raising protest, he was beaten to death on the spot.

We have seen the statements of witnesses recorded under section 161 of the Cr. P. C. and we have considered the facts and circumstances of the case.

In view of the nature and gravity of the offence that the petitioner has been charged with, and also in view of the fact that a Coordinate Bench of this Court rejected the petitioner's prayer for bail on October 6, 2020 and there has been no perceptible change in circumstance since then, we are not inclined to allow the petitioner's prayer for bail.

The prayer for bail is rejected.

CRM No. 750 of 2021 is, thus, dismissed.

However, given the fact that the petitioner has been in custody for 414 days, we request the learned Trial Court to expedite the trial and bring the same to its logical conclusion as soon as the business of the court may permit.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)