

03.08.2021
Item no.34.
Court No.32.
AB
(Rejected)

(Via Video Conference)

CRM No. 3089 of 2021

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 26.03.2021 in connection with Bizpur Police Station Case No.701 of 2019 Dated 30.11.2019 under Sections 302/120B of the Indian Penal Code

And

In the matter of : Soumitra Halдар & Anr.

.....Petitioners.

Mr. Debasish Kar,
Mr. Arka Chakraborty,
Mr. Subhajit Choudhury,
Ms. H. Mustabifor the Petitioners.

Mr. Neguive Ahmed, Ld. APP,
Mr. Binay Kumar Panda,
Ms. Amita Gaurfor the State.

The petitioners' prayer for bail was rejected twice ; once on February 13, 2020 by an order passed in CRM No.1625 of 2020 and then on August 18, 2020 by an order passed in CRM No.5563 of 2020. The petitioners renew their prayer for bail. They say that the charge has not yet been framed. There is no Public Prosecutor in the Court concerned. Hence, there is no chance of the trial beginning at an early date.

We have considered the material in the case diary produced by the State. We have read the statements of witnesses recorded under Sections 161/164 of the Code.

Having regard to the nature and gravity of the offence and the incriminating material on record, we are not inclined to allow the prayer of the petitioners.

The prayer for bail stands rejected.

C.R.M. No.3089 of 2021 is, accordingly, dismissed.

We, however, request the learned Trial Court to expedite the trial and bring it to a logical conclusion as expeditiously as possible in view of the fact that the petitioners have been in custody for about one year and eight months.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)