

18. 05.10.2021
Ct.32
Tanmoy
Rejected

C.R.M. 3764 of 2021

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **24/05/2021** arising out of **Nowda Police Station Case No. 247/19** dated **10/09/2019** under Sections **447/302/120B/34** of the Indian Penal Code.

And

In the matter of: - **Sujat Ali Sk**

...petitioner.

Mr. Sekhar Kumar Basu, Ld. Sr. Adv.,
Mr. Robiul Islam,
Ms. Pramita Banerjee

...for the petitioner.

Mr. Madhusudan Sur, Ld. A.P.P.,
Mr. Dipankar Paramanick

...for the State.

The petitioner is one of several accused persons. The charge is of murder. This is the third application made by the petitioner. His earlier prayers were rejected on June 2, 2020 in C.R.M. 3482 of 2020 and on October 8, 2020 in C.R.M. 7310 of 2020. He says that circumstances have changed since then and hence, this application. The co-accused persons have been granted bail. He stands on the same footing as such persons.

We have seen the material in the Case Diary including the seizure list. Two firearms were recovered from this petitioner. Two bullets appear to have been recovered from the body of the victim. The ballistic report *prima facie* indicates that one of the bullets matches with one of the firearms seized from this petitioner.

In view of the aforesaid *prima facie* incriminating material against the petitioner and also keeping in mind the earlier two

rejections, we are not inclined to entertain the petitioner's prayer for bail, at this stage.

Accordingly, the application for bail being C.R.M. 3764 of 2021 is **dismissed**.

We are told that charge has been framed. The petitioner is in custody for more than 2 years. In view of the prolonged detention of the petitioner, we request the learned trial Court to expedite the trial as much as possible and bring the same to its logical conclusion as soon as the business of the Court may permit, preferably within a period of one year from the next date of hearing.

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

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)