

22.09.2021

CRM 4405 of 2021

Court No.28
Item No.31
(Rejected)

As/Akd

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Hili Police Station Case No. 210 of 2016 dated 24.06.2016 under Sections 304/34 of the Indian Penal Code;

And

In the matter of : **Ranjan Mahato @ Mahata & Anr.**
...Petitioners

Ms. Busra Khatun.

...For the Petitioners

Ms. Zareen N. Khan,
Mr. Bitasok Banerjee.

...For the State.

The petitioners have filed the instant application for bail under Section 439 of the Code of Criminal Procedure after being arrested in connection with Hili Police Station Case No. 210 of 2016 dated 24.06.2016 under Sections 304/34 of the Indian Penal Code.

It is submitted by the learned Advocate for the petitioners that they are languishing in jail for nearly 1914 days in connection with the aforementioned case. It appears that the application for bail filed by the petitioners was rejected by the learned Sessions Judge on 16th June, 2021. It is further submitted by the learned Advocate for the petitioners that there is slow progress in the instant case and the petitioners are unnecessarily languishing in jail.

The learned Advocate appearing for the State opposes the prayer for bail and submits that six witnesses out of 16 charge sheeted witnesses have already been examined and there is a substantial progress in the trial.

After considering the respective submissions and on perusal of the materials available on record and the role of the petitioners attributable to the above offence, we do not find that it is a fit case where the petitioners should be enlarged on bail.

Accordingly, the prayer for bail of the petitioners is rejected.

However, we request the learned Sessions Judge who has already fixed the scheduled for recording evidence of the rest of the witnesses on 29th November, 2021, to take up the matter on the said date and efforts should be made to dispose of the case as expeditiously as possible.

The application for bail, being CRM 4405 of 2021 is thus **dismissed**.

(Harish Tandon, J)

(Bibek Chaudhuri, J.)