

26.08.2021
Item no. 48
Court No.32.
S.De.
(rejected)

(Via Video Conference)

CRM 4422 of 2021

In Re: An application for Bail under Section 439 of the Code of Criminal Procedure filed on 01.07.2021 in connection with Saltora Police Station Case No. 63 of 2020 dated 27.09.2020 under Sections 143 / 144 / 147 / 148 / 447 / 324 / 326 / 307 / 302/506/120B of the Indian Penal Code.

And

In the matter of : Swapan Majhi & Ors.

.....Petitioners.

Mr. Soumik Ganguli, Advocate,

.....for the Petitioners.

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

Mr. Dipankar Paramanick, Advocate,

.....for the State.

The petitioners are three out of several accused persons. The charge is under several Sections of the Indian Penal Code including Section 302 of the Code.

The petitioners say that there was a scuffle between two neighbouring families which led to the death of one person. The petitioners have been in custody for about a year. It is anybody's guess as to when the trial will conclude. Two co-accused persons have been granted bail by the learned Trial Court. The petitioners stand on the same footing.

The State has shown us the material in the case diary including statements recorded under Sections 164/161 of the Code of Criminal Procedure.

From the material we, prima facie, cannot rule out the complicity of the petitioners in the alleged offence.

On an overall assessment of the material on record and the gravity of the charge, we are not inclined to allow the prayer of the petitioners, at this stage.

CRM 4422 of 2021 is dismissed.

However, we request the learned Trial Court to expedite the consideration of charges and generally bring the trial to its logical conclusion as soon as the business of the Court may permit.

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.)