

CRM 4569 of 2021

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Beliaghata Police Station Case No.164 of 2020 dated 10-08-2020 under Section 307 of the Indian Penal Code and Sections 25(1B)(a)/27 of the Arms Act.

- A n d -

In the matter of : Guddu Sharma @ Raja Sharma

.... Petitioner.

Mr. Md. Sabir Ahmed,
Mr. Shubhadeep Bhattacharya

... For the Petitioner.

Mr. Sudip Ghosh,
Mr. Bitasok Banerjee

... For the State.

Ms. Shyanti Poddar

... For the defacto complainant.

The allegation against the petitioner is that he and the victim along with common friends went for a chat at about one O'clock in the night. After the other friends left, the petitioner took out a firearm and shot at the victim. The victim suffered serious injury, but survived.

The petitioner says that he has been framed because of political rivalry. There is no eyewitness to the incident. It is not credible that at one O'clock in the night, friends would go out for a chat.

We have seen the material in the Case Diary. The firearm was recovered from a canal pursuant to the statement given by the petitioner. There are other statements of the common friends who were present at the place of occurrence immediately before the incident took place. The petitioner's prayer for bail was rejected by a coordinate Bench of this Court as recently as on March 24, 2021 in CRM 1262 of 2021.

On an overall assessment of the facts and circumstances of the case and the *prima facie* incriminating material against the petitioner, we are not inclined to allow the prayer of the petitioner for bail at this stage.

Accordingly, the application for bail being CRM 4569 of 2021 is **dismissed**.

However, since the petitioner has been in custody for more than one year and charge is yet to be framed, we request the learned trial Court to expedite the framing of charge and generally bring the trial to its logical conclusion as soon as the business of the court may permit.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(**Bivas Pattanayak, J.**)

(**Arijit Banerjee, J.**)