

18.11.2021

Court No.28
Item No.68
(REJECTED)

Saswata

CRM 5559 of 2021

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Sagardighi Police Station Case No. 163 of 2018 dated 04.05.2018 under Sections 341/325/326/307/34 of the Indian Penal Code and Section 302 of the Indian Penal Code;

And

In the matter of : **Ensan Sk. @ Insan Sk.**

...Petitioner

Mr. Anand Keshari

Mr. Sekhar Mukherjee

...For the Petitioner

Mr. N. Ahmed, APP

Ms. Trina Mitra.

... For the State

The petitioner has filed the instant application for bail under Section 439 of the Code of Criminal Procedure in connection with Sagardighi Police Station Case No. 163 of 2018 under Sections 341/325/326/307/34 of the Indian Penal Code and Section 302 of the Indian Penal Code.

This is the sixth round of litigation before this Court. The earlier five applications filed by the petitioner were rejected by this Court despite the fact that the four such co accused were granted bail. It has been categorically recorded therein that those four co accused were, prima facie found to be the conspirators and the role of the petitioner in commission of the offence has been detailed by the witnesses, present at the spot of the occurrence. Except the length of the detention, we do not find any changed circumstances, entitling the petitioner to be released on bail.

Accordingly, the prayer for bail is ***rejected.***

However, the Learned Trial Judge is requested to expedite the trial of the case.

The application for bail being CRM 5523 of 2021 is accordingly ***dismissed.***

(Harish Tandon, J)

(Rabindranath Samanta,J.)

