

08.09.2021
Item no.31.
Court No.32.
AB
(Rejected)

(Via Video Conference)

CRM No. 5769 of 2021

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 25.08.2021 in connection with Mothabari Police Station Case No.229 of 2020 Dated 24.06.2020 under Sections 302/34 of the Indian Penal Code

And

In the matter of : Dijen Mandal

.....Petitioner.

Mr. Amitabha Karmakar,
Mr. A. K. Bhowmickfor the Petitioner.

Mr. Saibal Bapuli, Id. APP,
Mr. Arani Bhattacharyafor the State.

This is a case under Sections 302/34 of the Indian Penal Code against the present petitioner and two others.

Learned Advocate for the petitioner submits that he is languishing in custody for about 1 year and two months and already the case has been committed to the Sessions Court for trial. Learned Advocate for the petitioner also submits that already charge has been framed.

Learned Advocate appearing on behalf of the State opposes the prayer for bail and submits that the bail prayer of the petitioner has been turned down by the Coordinate Bench of this Hon'ble Court in CRM No.7615 of 2020 and as to the

statements of the witnesses, there are specific allegations against the petitioner.

We have considered the submissions of both the sides and perused the materials in the case diary produced today. On going through the statements of the witnesses recorded under Section 161 of the Code of Criminal Procedure, we find that there are specific allegations against the petitioner. Further, the case has been committed for trial and disposal.

Considering the materials in the case diary and the extent of complicity of the petitioner in the alleged offence and keeping in mind the nature and gravity of the offence, we are not inclined to allow the bail prayer of the petitioner.

C.R.M. No.5769 of 2021 is, accordingly, dismissed.

Learned Sessions Judge is requested to expedite the trial at the earliest and bring the same to its logical conclusion as soon as the business of the Court may permit without granting any unnecessary adjournment to either of the parties.

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

(Bivas Pattanayak, J.)

(Sabyasachi Bhattacharyya, J.)

