

24.09.2021
Serial no.8
Dd

(Through Video Conference)

CRM 6203 of 2021

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure filed on **10th September, 2021** in connection with **Belghoria** Police Station Case No. **114** of **2019** dated **20.02.2019** under **Sections 448/326/307/302/34/120B** of the Indian Penal Code and under Section 25/27 of the Arms Act.

-And-

In the matter of : Biswanath Maity @ Tutan
... ..Petitioner

Mr. Satadru Lahiri, Advocate
... .. For the Petitioner

Mr. Madhusudan Sur, Ld. APP
Mr. Monoranjan Mahato, Advocates
... ...For the State

Petitioner renews the prayer for bail.

Learned advocate appearing for the petitioner submits that the petitioner is in custody in excess of 2 years 7 months without possibility of expeditious disposal of the trial. Last witness that was examined was in December, 2019. Thereafter, no witness was present on behalf of the prosecution.

Learned advocate appearing for the State draws the attention of the Court to the statements recorded under Section 164 of the Criminal Procedure Code. He submits that the petitioner is the principal accused. Moreover, in respect of two other co-accused who were granted bail, there are applications for cancellation of bail on the ground that the co-accused submitted sureties with forged documents.

Considering the materials available in the case diary and the statements recorded under Section 164 of the Criminal Procedure Code, we are not inclined to grant bail to the petitioner as there is hardly any change in circumstances in favour of the petitioner from the earlier order of rejection of bail.

CRM 6203 of 2021 is **dismissed**.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)