

21.12.2021
Court No.32
Item No. 252
Tanmoy
Bail Rejected

**C.R.M. 6919 of 2021
(Via video Conference)**

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Domkal Police Station Case No. 29/2020 dated 12.01.2020 under Sections 302/34 of the Indian Penal Code, 1860 read with Sections 25/27 of the Arms Act.

And

In re: **Tomirul Sk @ Tamirul Sk**

...Petitioner.

Mr. Sabir Ahmed,
Mr. Somnath Adhikary

... For the Petitioner.

Mr. Binoy Panda,
Mr. Nirupam Dhali

...For the State.

Mr. Adhikary, learned advocate appearing for the petitioner submits that the petitioner is languishing in custody for about one year and eleven months and there is no possibility towards conclusion of the trial in the near future. A co-accused person has already been enlarged on bail. In the said conspectus, further detention of the petitioner is not necessary and he may be enlarged on bail on any stringent condition.

Mr. Dhali, learned Advocate appearing for the State, opposes the petitioner's prayer and draws our attention to several documents in the case diary.

Records reveal that the petitioner's prayer for bail was last rejected by a co-ordinate Bench of this Court on 19th of

February, 2021. There has been no substantial change in the circumstances of the case subsequent to such last rejection of the petitioner's prayer for bail. *Prima facie* there are incriminating materials on record against the petitioner and as such, his prayer for bail is refused at this stage.

Answering a query of this Court, the learned Advocate appearing for the State submits that charge has not yet been framed. In view thereof, this Court directs the learned Court below to take up the question of consideration of charges on the next date without granting any unnecessary adjournment to either of the parties and to commence the trial thereafter, if charges are framed and to conclude the same as expeditiously as possible.

The application for bail, being CRM No.6919 of 2021, is, accordingly, disposed of.

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

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)