

CRM No.7146 of 2021

Via video conference

21.12.21

(S.R.)

Sl.257

Ct.32

In re: An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **Chanchal** Police Station Case No.993 of 2020 dated 03/11/2020 under Sections 147/148/149/326/307/302/201 of the Indian Penal Code and Sections 25/27/35 of the Arms Act;

And

In re: Sukbar Ali

... petitioner.

Mr. Amitabha Karmakar

Mr. Arup Kumar Bhowmick

... for the petitioner.

Mr. Sanjay Bardhan

Ms. Manisha Sharma

...for the State.

Mr. Karmakar, learned advocate appearing for the petitioner submits that the petitioner is the father of the principal accused. He is presently aged about 65 years and as such, there is no likelihood that he would flee from justice or delay the trial by abscondence. In view thereof, the petitioner may be enlarged on bail on any stringent condition.

Mr. Bardhan, learned advocate appearing for the State opposes the petitioner's prayer and submits that there are strong incriminating materials in the case diary against the petitioner and as such, he is not entitled to the relief, as prayed for. Answering a query of this Court, Mr. Bardhan submits that upon completion of investigation charge sheet has also been submitted.

Records reveal that the petitioner's prayer for bail was last rejected by a Coordinate Bench of this Court on 16th July, 2021 and we do not find any substantial change in the circumstances subsequent to such rejection of the petitioner's prayer. Considering the gravity of the offence and the petitioner's complicity, we are not inclined to exercise any discretion in his favour. As such, his prayer for bail is refused at

this stage.

However, 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 the parties and if charges are framed, the learned court below shall take expeditious steps towards conclusion of the trial at an early date.

The application for bail being CRM No.7146 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.)