

CRM No.7569 of 2021

Via video conference

06.12.21

(S.R.)

Sl.47

Ct.32

In re: An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **Shyampur** Police Station Case No.210 of 2021 dated 02/06/2021 under Section 302/34 of the Indian Penal Code (G.R. Case No.1229 of 2021);

And

In re: Sital Manna

... petitioner.

Mr. Devaprasad Ganguli

... for the petitioner.

Mr. Neguive Ahmed, APP

Ms. Trina Mitra

...for the State.

Mr. Ganguli, learned lawyer for the petitioner submitted that the present petitioner was assaulted by another co-accused Laltu for which he sustained injury and undergone treatment. According to Mr. Ganguli, since charge sheet has been filed, further custodial detention is not necessary. Bail may be granted to the present petitioner.

Per contra, Ms. Mitra, learned lawyer representing the State submitted that strong incriminating elements are there against the present petitioner. There are evidence and materials to indicate that the present petitioner has direct complicity with the alleged crime. It is further submitted that considering the gravity of charge, bail should not be granted.

We have perused the case diary and materials on record and heard rival submissions.

On perusal of the case diary, we find that there are strong incriminating elements against the present petitioner and statements of witnesses directly implicating the present petitioner and it also appears that the present petitioner did actively participate in commission of the alleged crime. Considering the nature of offence, its gravity, we are not inclined to allow the instant bail application.

Accordingly, the same stands rejected with a direction that the learned trial court to expedite the charge consideration and subsequent trial within a period of six months preferably from the date of communication of this order.

The application for bail being CRM No.7569 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.)