

CRM 7659 of 2021
(via video conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure ;

And

**In Re : Chanarul alias Chanryl alias Safikul Sk
alias Sapikul**

.....Petitioner

Ms. Shabana Hasin

.....for the Petitioner

Mr. Sudip Ghosh

Mr. Apurba Kumar Datta

.....for the State

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Murshidabad P.S. Case No. 161 of 2020 dated 13.05.2020 under Sections 302/34 of the Indian Penal Code and Sections 25/27 of the Arms Act.

Learned advocate appearing for the petitioner submits that the petitioner is languishing in custody for 571 days and there is no possibility towards conclusion in near future. Upon completion of investigation, charge sheet has been submitted and as such, further detention of the petitioner, who is in custody for about 571 days, is not warranted.

Learned advocate appearing for the State opposes the petitioner's prayer and submits that there are eye witnesses' statements, which would clearly reveal that the petitioner had a direct involvement in the alleged offence.

He further submits that the petitioner's prayer was turned down by this Court twice earlier and there has been no

substantial change in the facts and circumstances of the case subsequent to last rejection of the petitioner's prayer on 30th June, 2021.

Having heard learned advocates appearing for the respective parties and considering the materials in the case, the seriousness of the offence and the extent of complicity of the petitioner in the alleged offence, we are not inclined to exercise discretion in his favour, moreso when we do not find any substantial change in the facts and circumstances of the case subsequent to last rejection of the petitioner's prayer. As such, his prayer for bail is refused at this stage.

The application being CRM 7659 of 2021 is dismissed.

However, the learned Court below is directed to take expeditious steps towards conclusion of the trial.

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.)