

21.12.2021
cm/ct 28
sl no. 125

C.R.M. 8373 of 2021

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Hirapur P.S Case No. 387 of 2017 dated 23.12.2017 under Sections 395/397/412 of the Indian Penal Code.

And

Rejected

In Re : Takhur Nabrang Kumar Singh @ Jacky
..... petitioner

Mr. Milon Mukherjee, Sr. Adv.

Mr. Sandipan Ganguly, Sr. Adv.

..... for the petitioner

Mr. Rudradipta Nandy

..... for the State

It is contended that test identification parade is doubtful as identity of the petitioner was disclosed and there was delay in holding T.I. parade. He is in detention for four years. Charge is yet to be framed.

Learned lawyer for the State opposes the prayer for bail and submits that petitioner committed daring robbery in the office of the finance company.

We have considered the materials on record. Allegations are very serious. Petitioners and other accused persons committed a daring dacoity in the office of a finance company. Witnesses have identified the petitioner in the T.I. parade. C.C. Tv footage as well as finger prints of the petitioner at the place of occurrence also established his role in the crime. In view of the aforesaid incriminating materials on record, we are of the opinion this is not a fit case to grant bail to the petitioner at this stage.

However, in view of the protracted period of detention suffered by the petitioner we direct the trial court to consider the

issue of framing of charge within three months from the next date fixed before it and upon charge being framed to conclude the trial preferably within one year thereof without granting unnecessary adjournment to either of the parties.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)