

21.12.2021
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sdas
rejected

C.R.M. 8612 of 2021
(via video conference)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Jhargram Police Station Case No. 136 of 2018 dated 28.08.2018 under Sections 364/302/201/120B of the Indian Penal Code.

And

In Re : Mithun Khamrai & Anr.

..... petitioners

Mr. Rajdeep Mazumder
Mr. Pritam Roy
Mr. Abhijit Singh

... for the petitioners

Mr. Nguive Ahmed, learned APP
Ms. Trina Mitra

... for the State

Petitioners renew their prayer for bail.

Learned Counsel appearing for the petitioners submits that they are in custody for over three years. It is further submitted that co-accused persons are on bail.

Learned Counsel appearing for the State opposes the prayer for bail. Petitioners do not stand on the same footing with co-accused persons. Personal articles of the deceased were recovered from their possession.

We have considered the materials on record. Personal articles of the deceased were recovered from the possession of the petitioners soon after the incident. Trial is in progress.

In view of the aforesaid facts, we are of the opinion that this is not a fit case to grant bail to the petitioners at this stage.

The application for bail is, thus, rejected.

Trial court is directed to conduct the trial with utmost expedition and conclude the same at an early date preferably within one year from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)