

CRM No.11024 of 2020

04.02.21

(S.R.)

Sl.29

Ct.28

In re: An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **Kalyani** Police Station Case **No.26 of 2018** dated **06.01.2018** under Sections **302/201/34** of the Indian Penal Code;

And

In re: **Rohit Mitra**

... petitioner.

Ms. Jonaki Saha

... for the petitioner.

Mr. Madhusudan Sur, Ld.APP

Mr. Dipankar Paramanick

...for the State.

The learned advocate appearing for the petitioner submits that the alleged incident occurred due to a property dispute. The petitioner has been falsely implicated. He is only 22 (twenty-two) years of age. He is languishing in custody for about three years. Upon conclusion of investigation, charge sheet has also been filed and as such, further detention of the petitioner is not necessary. The trial has also been delayed and considering the period of detention, he needs to be enlarged on bail.

Mr. Sur, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to the several documents in the case diary. He further submits that the weapon was recovered from the possession of the petitioner.

Having heard the learned advocates and considering the materials in the case diary, the magnitude of the offence and the extent of complicity of the petitioner in the alleged offence, we are not inclined to enlarge the petitioner on bail.

However, the learned Trial Court is directed to expedite the trial and to proceed without granting any unnecessary adjournments.

Accordingly, the application for bail being CRM No.11024 of 2020, is, thus, dismissed.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)