

64 23.03.2022
(AD) Court No.29
(Rejected)

C.R.M. (DB) 348 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Case No. S.Tr.03/October/2019 arising out of **Ghatal** P.S. Case No.**77 of 2019** dated **17/03/2019** under Sections **323/325/307/354B/302/120B/34** of the Indian Penal Code.
And

In the matter of: Babulal Hansda

....petitioner.

Mr. Ranadeb Sengupta
Mr. Sachit Talukdar

...for the petitioner.

Mr. Sudip Ghosh
Mr. Bitasok Banerji

... for the State.

Petitioner renews the prayer for bail.

Learned Advocate appearing for the petitioner submits that the petitioner is in custody for in excess of three years. There is no possibility of trial commencing any time soon since the charges are yet to be framed. He submits that some of the co-accuseds were granted bail.

Learned Advocate appearing for the State submits that four persons were injured in the violence relating to witch-hunt. One of the injured succumbed to the injuries. One of the surviving injured stated that the petitioner is one of the assailants assaulting all the four persons.

Considering the gravity of the offence and the involvement of the petitioner therein as transpiring from the

materials in the case diary, we are unable to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is rejected.

We are informed that the date is fixed for framing the charges on March 28, 2022. We are also informed that one co-accused is still absconding.

In such circumstances, the trial court is requested to split up the case between the accused in custody and on bail and the accused who is yet to be taken into custody and proceed accordingly. The trial court is also requested to endeavour to frame the charges as expeditiously as possible.

C.R.M. (DB) 348 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)