

28.02.2022
Ct.29
RP 62
Rejected

CRM (DB) 558 of 2022

In re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Dhantala PS Case No.32 of 2003 dated 06.03.2003 under Section 396/376/354/395/120B/412 of the Indian Penal Code read with Section 25/27 of Arms Act.

And

In the matter of : Babu Bala

.... Petitioner

Mr. Prabir Majumder

.... For the Petitioner

Mr. Swapan Banerjee

Ms. Purnima Ghosh

.... For the State

The petitioner renews the prayer for bail.

Learned advocate for the petitioner submits that the petitioner is in custody for 283 days. He further submits that the petitioner is languishing in jail for 13 years 10 months. There is hardly any prospect of the trial concluding any time soon. He further submits that out of 156 charge-sheeted witnesses, only 47 witnesses examined so far.

Learned advocate for the State submits that the next date is fixed on April 11, 2022 for the purpose of recording evidence. This is the fifth application for bail. He further submits that the petitioner was absconding for five years.

In the facts and circumstances of the present case, considering the gravity of offence and the involvement of the petitioner therein and considering the fact that there is hardly any change in the circumstances and considering the earlier order of rejection, we are unable to grant bail to the petitioner. The jurisdictional court is requested to fix consecutive dates for recording the evidence of witnesses on and from April 11, 2022. The jurisdictional court is requested to endeavour to conclude the trial as

expeditiously as possible, and preferably within six months from April 11, 2022.

The prayer for bail is rejected.

CRM (DB) 558 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)