

21.06.2022
cm/ct 28

C.R.M.(DB) No. 1873 of 2022
With
CRM (DB) No. 1910 of 2022

sl no. 27 & 28

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with **Bardhaman P.S Case No. 74 of 2019** dated **04.02.2019** under Sections **302/201/379/411/109/34** of the Indian Penal Code.

And

Rejected

In Re : Manabendra Chaki @ Manas

..... petitioner

In Re : Raju Singh @ Raju Munda

..... petitioner

Mr. Mrinal Kanti Biswas

..... for the petitioner in CRM(DB) No. 1873 of 2022

Mr. Avishek Sinha

Ms. Anasuya Sinha

..... for the petitioner in CRM(DB) No. 1910 of 2022

Mr. Ranabir Roy Chowdhury

Mr. Sandip Chakraborty

..... for the State CRM(DB) No. 1873 of 2022

Mr. Binay Panda

Ms. Puspita Saha

..... for the State CRM(DB) No. 1910 of 2022

Petitioners are in custody for 1226 days. It is contended that co-accused Biplab Ghosh @ Mohan is on bail. It is further contended that there is no direct evidence connecting the petitioners with the murder.

Learned lawyers for the State submits that co-accused Biplab Ghosh @ Mohan had enmity with the deceased. He has hired the petitioners to murder the victim. CDRs show telephonic conversation between Raju Singh @ Raju Munda (petitioner in CRM (DB) No. 1910 of 2022) with the victim prior to the incident. Identity card of Raju Singh @ Raju Munda was recovered beside the

deceased at the place of occurrence and his motorcycle was also recovered. Weapon of offence was recovered from the leading statement of Manabendra Chaki @ Manas.

We have consider the materials on record. CDRs show telephonic conversations between the Raju Singh @ Raju Munda and the deceased. His identity card was also recovered from the place of occurrence. In view of the aforesaid materials on record, we are not inclined to grant bail to the said petitioner.

With regard to Manabendra Chaki @ Manas (petitioner in CRM(DB) No. 1873 of 2022), we note on is leading statement weapon of offence was made. Though Biplab Ghosh @ Mohan is on bail, we are of the opinion in view of the aforesaid materials on record petitioners do not stand on the same footing with the co-accused. Hence, we are not inclined to grant bail to him.

Trial court is directed to expedite the trial and conclude the same as expeditiously as possible without granting unnecessary adjournment to either of the parties.

Accordingly, the prayers for bail of the petitioners are rejected.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)