

14.07.2022
Sl. No.18
akd
[Rejected]

C. R. M. (DB) 2285 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 07.07.2022 in connection with Balurghat Police Station Case No. 538 of 2019 dated 28.10.2019 under Sections 341/448/323/302/506/34 of the Indian Penal Code. (G.R. Case No.1134 of 2018)

And

In Re: ***Dipak Barman & Anr.***

... .. Petitioners

Mr. Pawan Kumar Gupta
Mr. Subrata Saha
Mr. Bijay Verma

... .. for the petitioners

Mr. Neguive Ahmed .. Id. Addl. Public Prosecutor
Ms. Trina Mitra

... .. for the State

It is submitted on behalf of the petitioners that they are in custody for more than two years. It is further submitted petitioners have been falsely implicated in the instant case.

Learned Additional Public Prosecutor opposes the prayer for bail and submits trial is in progress. Witnesses have identified the petitioners as members of the gang which assaulted and murdered the deceased.

We have considered the materials on record. Trial is in progress. Statements of witnesses implicate the petitioners in the murder. In view of gravity of the offence and the prima facie involvement of the petitioners in the alleged crime, we are of the opinion 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 expedite the trial and conclude the same at an early date preferably within one year from the next date

fixed for recording evidence without granting unnecessary adjournments to either of the parties.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)