

12.08.2022  
Sl. No.23  
**akd**  
[Rejected]

**C. R. M. (DB) 2720 of 2022**

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 24.06.2022 in connection with Bhimpur Police Station Case No. 267 of 2020 dated 25.10.2020 under Sections 341/326/307/302/34 of the Indian Penal Code.

And

In Re: ***Bachchan Ghosh & Ors.***

... .. Petitioners

Mr. Saryati Datta  
Mr. Litan Maitra  
Mr. Kalyan Kumar Bhattacharjee  
Ms. Rajnandini Das

... .. for the petitioners

Mr. Rudradipta Nandy .. Id. Addl. Public Prosecutor  
Mr. Subrato Roy

... .. for the State

Petitioners renew their prayer for bail. It is submitted on behalf of the petitioners that they are in custody for over 600 days. It is further submitted co-accused viz. Nagen @ Nagendranath Ghosh was enlarged on bail.

Learned Additional Public Prosecutor opposes the prayer for bail.

We have considered the materials on record. Statements of eyewitnesses show petitioners had played active role in the murder. Co-accused viz. Nagen @ Nagendranath Ghosh was enlarged on bail on the ground that he was a septuagenarian. Keeping in mind the incriminating materials on record, gravity of the offence and as the petitioners do not stand on the same footing with co-accused viz. Nagen @ Nagendranath Ghosh who was released on bail owing to his old age, we are not inclined in granting 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.)**