

30.09.2022.
31.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 3418 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Jibantala P.S. Case No. 327/2021 dated 03.10.2021 under Sections 302/34 of the Indian Penal Code.

In the matter of : Romjan Laskar & ors.

... Petitioners.

Mr. Sourav Chatterjee
Mr. Sandip Dinda

...for the Petitioners.

Ms. Anasuya sinha
Ms. Subhasree Patel

...for the State.

Petitioners are in custody for a year. They submit the evidence adduced before the trial court do not implicate them.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. While the witnesses were evasive in the course of their examination before the Court, they have admitted their statements before the learned Magistrate under Section 164 of Cr.P.C. These statements implicate the petitioners as the assailants. As the evidence of the witnesses must be seen as a whole, it would be improper for this Court to come to a premature decision with regard to the culpability of the petitioners.

Under such circumstances, we are not inclined to grant bail to the petitioners at this stage.

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

The trial court is directed to expedite the trial and conclude the same at an early date, preferably within six months from the next date fixed for recording evidence without granting any unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)