

06.12.2022
Sl. No.23
akd
[Rejected]

C. R. M. (DB) 4001 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 30.09.2022 in connection with Ghatal Police Station Case No.77 of 2019 dated 17.03.2019 under Sections 323/325/307/354B/302/120B/34 of the Indian Penal Code.

And

In Re: ***Babulal Hansda***

... .. Petitioner

Mr. Ranadeb Sengupta
Mr. Sachit Talukdar

... .. for the petitioner

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

... .. for the State

It is submitted on behalf of the petitioner that there is inordinate delay in the matter before the trial court. Charge has not been framed as yet.

Learned Additional Public Prosecutor opposes the prayer for bail and submits charge could not been framed due to absence of the Presiding Officer. Date has been fixed in December, 2022.

Coming to the merits the present case involves murder of an innocent lady on the suspicion she was a witch. Eyewitnesses disclose the involvement of the petitioner and others in the indiscriminate assault. Bail prayer of co-accused viz. Tilak Hembram has been turned down by this court. Under such circumstances, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is thus **rejected**.

Trial court is directed to take necessary steps to consider the issue of framing of charge at the earliest.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

