

08.09.2022

Item No.13

Ct.No.1

K.B/b.r.

Rejected

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
Criminal Appellate Jurisdiction

CRM(DB) 281 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Siliguri P.S. Case No. 652 of 2017, dated 08.09.2017, under Sections 394/397/326/307/120B of the Indian Penal Code, 1860 read with Section 25(1) (a)/27/35 of Arms Act, corresponding with G.R. Case No. 2870 of 2017.

And

In the matter of: **Lisham Ibungotomba Singh @ Lisham Ibungtomba Singh**

....Petitioner

Mr. Hillol Saha Poddar
Ms. Moushumi Das

...for the Petitioner

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Mr. Aditi Sankar Chakraborty, Ld. APP
Mr. Biswarup Roy

.....for the State

Party/parties is/are represented in the order of their name/names as printed above in the cause title.

This is an application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Siliguri P.S. Case No. 652 of 2017, dated

08.09.2017, under Sections 394/397/326/307/120B of the Indian Penal Code, 1860 read with Section 25(1) (a)/27/35 of Arms Act, corresponding with G.R. Case No. 2870 of 2017.

Mr. Saha Poddar, Learned Counsel appearing for the petitioner submits that the petitioner has been wrongly detained since at the time of the incident he was only a passerby. It is submitted that such wrongful detention has now completed nearly 5 years.

It is further submitted that the petitioner is willing to abide by any condition of bail, so that his personal liberty is restored.

Per contra, Learned State Counsel files the Report of the Inspector-in-Charge of Siliguri Police Station from where it transpires that the charge against the petitioner and the members of his gang in connection with this case are grave. From the Report it also transpires that after filing of the charge sheet, the trial has commenced and the next date for deposition of witnesses is fixed on 21st September, 2022 and 22nd September, 2022. It further transpires that the gang members of the petitioners are involved in several

other criminal cases of like nature.

Having heard the parties and closely considered the materials placed, this Court is of the view that the grant of bail to the petitioner shall be a threat to the society at large. Accordingly, the prayer for bail stands rejected.

CRM (DB) 281 of 2022 stands **dismissed**.

There shall be a further direction upon the Learned Trial Court to expedite the trial without granting unnecessary adjournments and, preferably conclude the said trial within a year from this date.

All concerned parties shall act in terms of the copy of the order downloaded from the official website of this Court.

(Krishna Rao J.)

(Subrata Talukdar, J.)