

03.02.2023.
26.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 226 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Tehatta P.S. Case No.366 of 2020 dated 06.09.2020 under Sections 302/34 of the Indian Penal Code.

In the matter of : Provakar Mondal @ Token Mondal & Ors.
... Petitioners.

Mr. Sekhar Kr. Basu, Id. Sr. Adv.,
Mr. Asraf Mandal,
Mr. Tuser Gill.

...for the Petitioners.

Mr. Madhusudan Sur, Id. A.P.P.,
Mr. Dipankar Pramanick.

...for the State.

Petitioners are in custody for more than three years. It is submitted that there was a family dispute. They have been falsely implicated. They pray for bail.

Learned Advocate for the State opposes the bail prayer. He submits bail prayer of co-accused was turned down by this Court in November, 2022.

We have considered the materials on record. Statement of eye witness implicates the petitioners. Bail prayer of the petitioner no.1 was rejected earlier on merits. Bail prayer of another co-accused was rejected in November, 2022. Date has been fixed for consideration of charge.

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

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

We request the trial court to consider the issue of framing of charge as early as possible preferably within three months from the next date fixed before it and in the event charge is framed to take the proceeding to its logical conclusion without granting any unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)