

13.03.2023
tkm/ct 28
sl no.78

C.R.M. (DB) 649 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Lalgarh P.S case no. 4 of 2011 dated 7.1.2011 under sections 120B/148/307/326/149/302 IPC and sections 25/27 of the Arms Act

And

In Re : Abani Bhusan Singha @ Abani Singha petitioner

Mr. P P Das

Mr. M Basu

Mr. M Chakraborti

..... for the petitioner

Mr. Amajit De

..... for the CBI

Petitioner is in custody for more than 12 years. He prays for bail on the ground of inordinate delay.

Report is placed on record. From the report it appears that the petitioner is one of the accuseds who was involved in firing at the victims. Nine persons died. Hence, petitioner does not stand on the same footing with co-accuseds who have been enlarged on bail by the Hon'ble Apex Court and this Court since they did not participate in the firing. On the other hand, bail prayer of co-accused Naba Gopal Shanki who stands on the same footing with the petitioner had been turned down by this court in CRM (DB) 198 of 2022. Satisfactory progress has taken place in the trial and 32 witnesses have already been examined after direction for expedition was passed by the Hon'ble Apex Court.

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

Accordingly, prayer for bail is rejected.

Trial court is directed to conduct the trial on a day-to-day basis and conclude the same as expeditiously as possible without granting unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)