

14.03.2023
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rejected

C.R.M. (DB) No. 896 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Harishchandrapur Police Station Case No. 265 of 2021 dated 03.04.2021 under Sections 341/324/325/307/302/354/34 of the Indian Penal Code.

And

In Re : Abu Taleb petitioner

Mr. Soupal Chatterjee

Mr. Anupam Das

Ms. Sucheta Banerjee

... for the petitioner

Mr. Neguive Ahmed, learned APP

Ms. Jonaki Saha

... for the State

Mr. Sujoy Sarkar

Mr. Rahul Chachan

.... for the defacto complainant

Learned Counsel for the petitioner submits he is in custody for over 700 days. He renews his prayer for bail.

Learned Counsel for the State opposes the prayer for bail and submits date has been fixed for consideration of charge on 30th March, 2023.

Learned Counsel for the defacto complainant opposes the prayer for bail.

We have considered the materials on record. There are ample materials implicating the petitioner in the crime. His bail prayer was rejected earlier. Date has been fixed for consideration of charge. Under such circumstances and in

view of gravity of the offence, 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 consider the issue of framing of charge on the next date fixed and if it is unable to do so due to circumstances beyond control then positively within two months thereof and in the event charge is framed to take the proceeding to its logical conclusion at the earliest without granting unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)