

22.03.2023
tkm/ct 28
sl no.40

C.R.M. (DB) 1047 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Raiganj P.S case no. 458 of 2017 dated 4.7.2017 under sections 341/302/120B/34 IPC and sections 25(1)(A)/27 of the Arms Act

And

In Re : Dibakar Das @ Bandhan

..... petitioner

Mr. C Debnath

..... for the petitioner

Mr. N Ahmed

Mr. Prasun Kr. Datta

Ms. Jonaki Saha

..... for the State

Mr. Kaushik Choudhury

Ms. Busra Khatun

..... for the de facto

Petitioner is in custody for more than five years. He submits co-accuseds are on bail. He prays for bail.

Learned lawyer for the State opposes the bail prayer.

Learned lawyer for the de facto complainant also opposes the bail prayer.

We have considered the materials on record. Petitioner had come on a motorcycle with co-accused Bumba Kar who fired at the victim. Accordingly, he does not stand on the same footing with co-accuseds who are on bail.

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

Accordingly, prayer for bail is rejected.

However, in view of the protracted period of detention suffered by the petitioner, we request the trial court to expedite the trial and conclude the same at an early date.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)