

28.03.2023

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rejected

C.R.M. (DB) No. 1148 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Tehatta Police Station Case No. 92 of 2022 dated 09.02.2022 under Sections 394/397/412 of the Indian Penal Code and Sections 25/27 of the Arms Act.

And

In Re : Mehedi Malitha @ Lalmiya & Anr. petitioners

Mr. Arindam Jana

... for the petitioners

Mr. Madhusudan Sur, learned APP

Mr. Manoranjan Mahata

... for the State

Learned Counsel for the petitioners submits they are in custody for 400 days. It is also submitted there is inordinate delay in trial. They pray for bail.

Learned Counsel for the State opposes the bail prayer.

We have considered the materials on record. There are overwhelming incriminating materials against the petitioners. Their bail prayer was rejected earlier on merits. Delay is due to abscondence of co-accuseds. Under such circumstances, we are not inclined to grant bail to the petitioners.

The application for bail is, thus, rejected.

Trial court is directed to consider the issue of framing of charge at the earliest.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

