

28.03.2023
Sl. No.80
akd
[Rejected]

C. R. M. (DB) 1186 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 21.03.2023 in connection with Dhubulia Police Station Case No.270 of 2020 dated 23.10.2020 under Sections 302/34 of the Indian Penal Code and Sections 25/27 of the Arms Act.

And

In Re: ***Giyas Sk. & Anr.***

... .. Petitioners

Mr. Sumanta Das
Mr. Partha Pratim Sinha

... .. for the petitioners

Mr. Neguive Ahmed .. Id. Addl. Public Prosecutor
Mr. Iqbal Kabir

... .. for the State

Heard the learned Advocates appearing for both the parties.

We have considered the materials on record. Statements of witnesses implicate the petitioners in the murder. Their bail prayer was rejected earlier on merits. Order dated 05.09.2022 in CRM (DB) 2893 of 2022 directing expeditious consideration of charge was not placed before the trial court. Under such circumstances, we are not inclined to grant bail to the petitioners at this stage.

The application for bail is thus rejected.

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

Parties shall communicate a copy of this order to the trial court for due compliance.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

