

17.04.2023

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rejected

C.R.M.(DB) No. 1491 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Arambagh Police Station Case No. 295 of 2020 dated 07.08.2020 under Sections 341/325/326/307/302/427/506/34 of the Indian Penal Code read with Sections 3/4 of the Explosive Substances Act and Sections 25/27 of the Arms Act.

And

In Re : Taibul Ali @ Sk. Taibul Ali petitioner

Mr. Arka Pratim Chowdhury

Mr. Sunny Nandy

Mr. Tamal Singha Roy

... for the petitioner

Mr. Nuguive Ahmed, learned APP

Ms. Trina Mitra

... for the State

Learned Counsel for the petitioner submits he is in custody for more than 970 days. It is also submitted there is no delay in trial. He renews his bail prayer.

Learned Counsel appearing for the State opposes the prayer for bail.

We have considered the materials on record. Statements of the witnesses recorded under Section 164 of the Code of Criminal Procedure disclose role of the petitioner in the murder. Bail prayer of the petitioner has also been turned down on a number of occasions. Hence, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is, thus, rejected.

Trial court is requested to consider the issue of framing of charge at the earliest and in the event charge is framed to take the proceedings to its logical conclusion without granting any unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)