

18.04.2023
tkm/ct 28
sl no.50

C.R.M. (DB) 1522 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Ranaghat PS case no. 332 of 2019 dated 12.10.2019 under sections 302/34 IPC and sections 25/27 of the Arms Act

And

In Re : Krishna Rajbhar @ Rakesh @ Mamu & Anr.

..... petitioners

Mr. Ayan Bhattacharjee

Ms. S Bhattacharyya

..... for the petitioners

Mr. M Sur

Mr. M Mahata

..... for the State

Petitioners are in custody for more than three years. It is submitted there is slow progress in the matter. Charge has not yet been framed. They renew their prayer for bail.

Learned lawyer for the State opposes the bail. He submits delay has been engineered by the accused. Date has been fixed for consideration of charge on 27th June 2023.

We have considered the materials on record. There are ample materials implicating the petitioners in the murder. Their bail prayer was rejected earlier on merits. However, charge has not yet been framed till date. It is contended that accused contributed to the delay.

Under such circumstances though we are not inclined to grant bail to the petitioners at this stage, we request the trial court to consider the issue of framing of charge on the next date fixed and if it is unable to do so, to positively take appropriate decision thereon within a month from the said date without granting unnecessary adjournments to either of the parties.

In the event charge is framed, the court shall proceed with the trial and dispose of the case with utmost expedition.

Parties shall communicate the order to the trial court for necessary compliance.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)