

13.06.2023
Sl. 44
Court No.29
sdas
(Rejected)

C.R.M. (DB) 2232 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in arising out of **Farakka** P. S. Case No. **116** of **2022** dated **13.04.2022** under Sections **395/412** of the Indian Penal Code and Section **25(i)(a)/35** of Arms Act.
And

In the matter of: **Prabhakar Sikdar & Ors.**

....petitioners

Mr. Ashok Das
Mr. Amanul Islam
Mr. Sourav Mukherjee

...for the petitioners.

Mr. Swapan Banerjee
Mr. Suman De

...for the State.

1. Heard the learned Counsel for the parties.
2. The transaction under reconsideration is a case of bank dacoity involving 14 accused persons operating in the border of Jhargram and West Bengal.
3. Learned Counsel for the petitioners submits that so far as dacoity is concerned the present petitioners are not involved. They are only receivers of stolen articles.
4. From the materials on record it is found that the present petitioners were found in possession of 54 lakhs of currency notes looted from the bank by the dacoits. Earlier prayer for bail having already been rejected by a co-ordinate Bench we do not find any supervening circumstance warranting reconsideration of prayer for bail.
5. Regard being had to the facts and submissions, gravity of offence, we are not inclined to exercise our discretion in favour of the petitioners under Section 439 of the Cr.P.C. at this stage.

6. Accordingly, the prayer for bail of the petitioners is rejected.
7. CRM (DB) 2232 of 2023 is dismissed.
8. Trial court is directed to expedite the trial by framing charges on the date fixed for procuring the attendance of the witnesses.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)