

Rejected

CRM (DB) 2458 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Domkal Police Station Case No. 29 of 2020 dated 12.01.2020 under Sections 302/34 of the Indian Penal Code, 1860 read with Sections 25/27 of the Arms Act.

And

In the matter of: - **Tomirul Sk**

...petitioner.

Mr. Kallol Mondal, Adv.,
Mr. Amanul Islam, Adv.,
Mr. Sourav Mukherjee, Adv.,
Mr. Krishan Roy, Adv.,
Mr. Anamitro Banerjee, Adv.

...for the petitioner.

Mr. Madhusudan Sur, Ld. APP,
Mr. Manoranjan Mahata, Adv.

...for the State.

The petitioner's prayer for bail has been rejected on five occasions previously. Last time the petitioner applied for bail was on October 31, 2022. Considering that on a number of occasions his prayer for bail was rejected and considering the gravity of the offence and material on record which *prima facie* implicates the petitioner, that bail application was also rejected.

We see no change of circumstances since the time when the petitioner's prayers for bail were rejected. We are also told that trial has been split up and September 1, 2023 and September 2, 2023 have been fixed as dates for recording of evidence.

In view of the aforesaid, we are not inclined to entertain the petitioner's prayer for bail at this stage. The prayer for bail is thus rejected.

However, considering that the petitioner has been in custody for about three years and five months, we request the learned trial Court to expedite the trial as much as possible and bring it to its logical conclusion at the earliest.

Accordingly, the application for bail being CRM (DB) 2458 of 2023 is disposed of.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)