

21      21.08.2023  
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Rejected

**CRM (DB) 3271 of 2023**

In the matter of : An application for bail under section 439 of the Code of Criminal Procedure in connection with Serampore P.S. Case No. 475 of 2018 dated 03.10.2018 under sections 394/397 of the Indian Penal Code read with sections 25/27 of the Arms Act.

And

In the matter of : Surojit Raha alias Mongal

Mr. Sumanta Ganguly  
Mr. Dibakar Sardar

... ... for the petitioner

Mr. Madhusudan Sur, APP  
Mr. Arabinda Manna

... ... for the State

1. Petitioner is in custody for 532 days. He contends he was on bail earlier which came to be cancelled by this Court. Thereafter, he had voluntarily surrendered. The trial has not proceeded as witnesses did not appear before the Court to depose. He prays for bail.
2. Learned lawyer for the State opposes the bail prayer of the petitioner.
3. We have considered the materials on record. Without considering the gravity of the offence, bail was granted to the petitioner. The said bail came to be cancelled by this Court in March, 2022 in CRR 391 of 2020. Petitioner is in custody for more than a year and charge has been framed.
4. In view of the gravity of the offence and the possibility of commission of similar offence if the petitioner is released on bail, we are not inclined to grant bail at this stage.
5. We request the trial Court to conduct the trial with utmost expedition and conclude the same at an early date.

6. This application for bail is, thus, rejected.

**(Rai Chattopadhyay, J.)**

**(Joymalya Bagchi, J.)**