

19.12.2023

61
sdas
rejected

C.R.M.(DB) No. 4374 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Magra Police Station Case No. 314 of 2021 dated 08.11.2021 under Sections 395/397/398 of the Indian Penal Code read with Sections 25/27 of the Arms Act.

And

In Re : Swagatam Roy @ Goutam & Anr. Petitioners

Mr. Palash Chandra Majhi
....for the petitioners

Mr. Swapan Banerji
Mr. Bitasok Banerji
..... for the State

1. Learned Counsel for the petitioners submits they are in custody for more than two years. It is also contended they have been falsely implicated.

2. Learned Counsel for the State opposes the prayer for bail and submits petitioners were identified in test identification parade. Trial is in progress. Petitioners have criminal antecedents. In view of the materials on record viz. identification in test identification parade and as trial is in progress and they have criminal antecedents we are not inclined to grant bail to the petitioners at this stage.

3. The application for bail is, thus, rejected.

4. Trial court is directed to expedite the trial and conclude the same at an early date without granting unnecessary adjournment to either of the parties.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)