

20.12.2023

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rejected

C.R.M.(DB) No. 4568 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Burdwan Police Station Case No. 447 of 2020 dated 117.07.2020 under Sections 395/397/326/307 of the Indian Penal Code read with Section 27 of the Arms Act.

And

In Re : Vikash Singh @ Bikash Singh @ Shankar Singh @  
Shankar Singh Bhagal @ Alok .... Petitioner

Mr. Sourav Chatterjee

....for the petitioner

Mr. Ranabir Roychowdhury

Ms. Mamata Jana

..... for the State

1. Learned Counsel for the petitioner submits he was granted bail earlier which came to be cancelled in Court. Trial has commenced.

2. Learned Counsel for the State opposes the prayer for bail and submits delay was due to the fact that co-accused are facing trial in different States.

3. We have considered the materials on record. Petitioner is a member of a gang who is involved in dacoity in various States. Delay in the matter is on the ground that co-accused are facing trial in other States. Prosecution cannot be held responsible for such delay. Keeping in mind the aforesaid fact and gravity of the offence we are not inclined to grant bail to the petitioner.

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

5. Trial court is directed to arrange for production of the co-accused through video linkage and proceed with the trial with utmost expedition without granting unnecessary adjournment to either of the parties.

**(Gaurang Kanth, J.)**

**(Joymalya Bagchi, J.)**