

17.01.2024
SL No.37
Ct. No. 28
SB/s.biswas
(Rejected)

C.R.M. (DB) 133 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Titagarah P.S. Case No. 548 of 2020 dated 05.10.2020 under Section 302/120B/34/312/201 of the Indian Penal Code read with Sections 25/27 of the Arms Act.

And

In the matter of: Subodh Ray @ Subodh Roy

....Petitioner

Mr. Sourav Chatterjee
Mr. Anindya Ghosh
Mr. Pronojit Roy

...for the Petitioner

Mr. Madhusudan Sur
Ms. Sujata Das

...for the State

1. Petitioner contends he is in custody for over three years. He prays for bail on the ground of delay in trial. He contends further investigation is in progress and inspite of direction given by this court in CRR 1920 of 2023, the prosecuting agency has not taken steps for framing of charge. He prays for bail.
2. Learned lawyer for the State opposes the prayer for bail. He contends delay in the matter is on the ground co-accused are facing trial in a different case in the State of Bihar.
3. We have considered the materials on record. There are ample materials connecting the petitioner with the crime. His prayer for bail was rejected earlier on merits. Delay in the matter is due to co-accused being detained in connection with another case in the State of Bihar.

4. Under such circumstance, we do not find any merit in the application for bail of the petitioner. Hence, we are not inclined to grant bail to the petitioner at this stage.
5. The prayer for bail of the petitioner is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)