

26.04.2024
Sl. No.14
akd
[Rejected]

C. R. M. (DB) 928 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 08.03.2024 in connection with Dasnagar Police Station Case No.358 of 2015 dated 30.09.2015 under Sections 448/302/34 of the Indian Penal Code and Sections 25/27 of the Arms Act.

And

In Re: **Binod Singh**

... .. Petitioner

Mr. Arindam Jana
Sk. Toslim Ali

... .. for the petitioner

Ms. Sompurna Chatterjee

... .. for the de-facto complainant

Mr. Debasish Roy .. Id. Public Prosecutor
Mr. Joydeep Roy .. Jr. Govt. Advocate

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for more than eight years. It is further submitted there is little possibility of trial concluding in the near future. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail and submits petitioner has criminal antecedents. He was caught using a mobile phone inside the correctional home. In the report learned Advocate has indicated that prosecution may conclude trial within fifteen dates.
3. Learned Advocate for the de-facto complainant also opposes the prayer for bail.
4. We have considered the materials on record. Petitioner has criminal antecedents. His conduct as an undertrial in the correctional home does not inspire confidence. There are ample evidence connecting the petitioner with the murder. Offences, if proved, would attract mandatory life imprisonment. Report submitted by the prosecution

shows remaining witnesses may be examined within fifteen dates.

Under such circumstances, we are not inclined to grant bail to the petitioner at this stage.

5. The application for bail is thus rejected.
6. Trial court is directed to fix schedules of 3-4 days each at short intervals and conclude the trial as expeditiously as possible. Parties shall cooperate with the trial court in this regard.
7. Parties shall communicate a copy of this order to the trial court for due compliance.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)