

24.04.2024
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rejected

C.R.M.(DB) No. 1283 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Tiljala Police Station Case No. 372 of 2020 dated 10.12.2020 under Sections 302/394/34 of the Indian Penal Code.

And

In Re : Subho Sardar petitioner

Mr. Arindam Jana
Ms. Tanusree Kar

....for the petitioner

Mr. S. Biswas
Ms. Snigdha Saha

... for the State

1. Learned Counsel for the petitioner submits he was a child in conflict with law. He is being tried as an adult. He is in custody for three years. There is no possibility of trial concluding in the near future. Accordingly, he prays for bail.

2. Learned Counsel for the State opposes the bail prayer and submits petitioner was identified by witnesses during test identification parade as the person who had entered the room where the victim was murdered. He had also committed robbery.

3. We have considered the materials on record. Petitioner had committed robbery and murder. Though he was below 18 years at the time of occurrence he is being tried as an adult. Trial is in progress. Three witnesses have been examined. In view of the aforesaid incriminating facts we are not inclined to grant bail to the petitioner.

4. Application for bail is, thus, rejected.

5. 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.)