

10.05.2024
as/tkm/ct 28
sl no. 34

C.R.M. (DB) 1494 of 2024

In Re : An application for bail under section 439 Cr.P.C in connection with Chittaranjan P.S case no. 22 of 2020 dated 17.7.2020 under sections 302/120B IPC and sections 25/27 of the Arms Act

And

In Re : Suraj Balmiki petitioner

Mr. Arkaprabho Roy
Syed Murshid Alam

..... for the petitioner

Mr. Saryati Datta
Ms. Purnima Ghosh

..... for the State

Mr. Avik Ghatak
Mr. Saibal Dasgupta

..... for the de facto complainant

1. Petitioner is in custody for about four years. Co-accused have been enlarged on bail. He prays for bail.
2. Learned lawyer for the State submits that on the leading statement of the petitioner pipe gun was recovered. Ballistic report shows that the seized weapon was used to fire the bullets recovered from the body.
3. We have considered the materials on record. Petitioner is charged with murder. A vital incriminating circumstance that is fire arm seized from the petitioner matched with the bullets recovered from the body of the deceased. He does not stand on the same footing with Ranbijoy Singh who has been enlarged on bail by this court.
4. Under such circumstances and in view of the gravity of offence, we are not inclined to grant bail to the petitioner.
5. Accordingly, prayer for bail is rejected.

6. Trial court is requested to conclude the trial expeditiously by fixing schedules at short intervals and preferably within one year from the next date fixed for recording evidence without granting unnecessary adjournments to either of the parties.
7. Parties shall co-operate with the trial court and communicate this order for due compliance.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)