

13.06.2024
Item no. 20.
Court No.28.
AB
(Rejected)

CRM (DB) 1502 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with STF P. S. Case No.13 of 2023 dated 30.3.2023 under Sections 120B of the Indian Penal Code read with Section 3 /4 of the E. S. Act

And

In the matter of : Saidul Alam & Anr.

.....Petitioners.

Mr. Joy Chakrabortyfor the Petitioners.

Mr. Sanjay Bardhan
Ms. Diksha Ghoshfor the State.

About 48 kilograms of explosive substance was recovered from the joint possession of the petitioners. They have been charged with offences under Sections 3/ 4 of the Explosive Substances Act and Section 120B IPC.

The petitioners say that they are in custody for more than one year and two months. Only one witness has been examined. It is anybody's guess when the trial will conclude.

Learned Advocate for the State says that the first prosecution witness being P.W.1 has already been examined. P.W. 2 is in the process of being examined. There are five other witnesses who are proposed to be examined.

The charge is grave. There appears to be prima facie incriminating material against the petitioners. We are not inclined to allow the prayer of the petitioners, at this stage.

The prayer for bail is, accordingly, rejected.

CRM (DB) 1502 of 2024 is dismissed.

However, since the petitioners are in custody for quite some time, the learned Trial Court is requested to expedite the trial and conclude the same as early as possible and definitely within a period of six months from the next date fixed for recording of evidence.

We further make it clear that in the event the trial is not concluded within the time period indicated above, the petitioners may renew their prayer for bail.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)