

13.06.2024
Item no.24.
Court No.28.
S. De
(Rejected)

CRM (DB) No. 1548 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure.

And

**In the matter of : Md. Samim @ Sukhu @ Samim @ Sukkhu
& Anr.**

.....Petitioners.

Ms. Shabana Hasin,
Ms. Samima Akter Ban,
Ms. Neha Roy,

.....for the Petitioners.

Mr. Rajesh Naskar,

.....for the de facto complainant.

Mr. Sandip Chakraborty,
Ms. Purnima Ghosh,

...for the State.

The petitioners renew their prayer for bail which was rejected earlier by a co-ordinate Bench by an order dated January 18, 2024 passed in CRM (DB) 149 of 2024.

The charge is of murder. There is sufficient prima facie incriminating evidence against the petitioners. They say that they are in custody for more than one year one month. Only the first prosecution witness is being examined now. Nobody knows when the trial will conclude. They should be enlarged on bail on such conditions as this Court may decide.

The State opposes the prayer for bail.

Learned advocate says that witness action has begun within one year of institution of the case. There are 20 witnesses and eyewitnesses of the incident.

We have seen the material in the case diary including the statements of eyewitnesses. Prima facie, there is sufficient incriminating material against the petitioners. The charge is also grave in nature. We are not inclined to allow the petitioners' prayer for bail, at this stage.

The application for bail is, accordingly, rejected.

CRM (DB) 1548 of 2024 is dismissed.

However, since the petitioners are in custody for more than a year, we request the learned Trial Court to spare no effort to expedite the trial and to bring the same to its logical conclusion as soon as possible without granting unnecessary adjournments.

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

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)