

D/L. 40.
13.06.2024.
MNS/MB

CRM (DB) 1574 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 13.05.2024 in connection with Chinsurah Police Station Case No. 366 of 2016 dated 04.08.2016 under Sections 302/34 of the Indian Penal Code and Sections 25/27 of the Arms Act..

And

In the matter of: Biswajit Mitra @ Chotka and another

.... Petitioners

Mr. Arka Ranjan Bhattacharya,
Mr. Danish Abbasi

... for the petitioners.

Ms. Amita Gour,
Ms. Puspita Saha

... for the State.

The petitioners are in custody for close to three years, after being arrested second time, on execution of warrant of arrest. They pray for bail. They say that nobody can guess when the trial will conclude.

Learned Advocate for the State says that thirteen out of twenty-three witnesses have been examined. Mainly police witnesses remain to be examined. Next date for recording evidence is August 21, 2024.

We have considered the materials on record. *Prima facie*, there is sufficient incriminating evidence against the petitioners. The charge is grave. We are not inclined to enlarge the petitioners on bail at this stage.

CRM(DB) 1574 of 2024 is, accordingly, dismissed.

However, since the petitioners have been in custody for a considerable period of time, we direct the Learned Trial Court to

conclude the trial within six months from the next date fixed for recording of evidence.

The parties shall communicate this order to the Learned Trial Court early.

In the event, the trial is not concluded within the time period indicated above, the petitioners will be entitled to renew their prayer for bail.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)