

12.06.2024
Item no. 20.
Court No.28.
AB
(Rejected)

CRM (DB) 1694 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Beldanga Police Station Case No.454 of 2020 Dated 25.10.2020 under Sections 302/120B of the Indian Penal Code

And

In the matter of : Selina Bibi @ Serina Bibi

.....Petitioner.

Mr. Arnab Chatterjee,
Ms. Dhanasree Biswas,
Ms. Poulami Bosefor the Petitioner.

Mr. Saibal Bapuli
Mr. Ashok Dasfor the State.

The petitioner is one of two accused persons. The allegation is that the petitioner and her paramour administered poison on a 9 year old girl child and a one and half year old girl child of the petitioner. Both the girls died.

The petitioner says that he is in custody for three years and eight months. Only 3 out of 13 witnesses have been examined. It is anybody's guess as to when the trial will conclude. The material and evidence on record are such as would indicate that there is little possibility of her conviction. Hence, she should be released on bail.

Learned Advocate appearing for the State opposes the prayer for bail. He draws our attention to the material in the

case diary as also to the depositions of witnesses, who have been examined.

On an overall consideration of the material on record including the evidence of the witnesses, we find that there are prima facie incriminating material against the present petitioner. Hence, we are not inclined to allow the prayer of the petitioner.

The prayer for bail is, accordingly, rejected.

CRM (DB) 1694 of 2024 is dismissed.

However, considering the fact that the petitioner has been in incarceration for a very long period of time, we request the learned Trial Court to expedite the trial as much as possible and to bring the same to its logical conclusion at the earliest and preferably within a period of one year from the date of communication of this order by the parties to the learned Trial Court.

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.)

