

20.06.2024
Item no.89.
Court No.28.
S. De
(Rejected)

CRM (DB) No. 1753 of 2024

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

And

In the matter of : Anarul Sk. @ Pakka.

.....Petitioner.

Mr. Sourat Nandy,

.....for the Petitioner.

Ms. Amrita Gour,
Ms. Sujata Das,

...for the State.

Mr. Tapodip Gupta,

..for the de facto complainant.

The petitioner renews his prayer for bail which was earlier rejected by a Co-ordinate Bench by an order dated January 17, 2024 passed in CRM (DB) 135 of 2024.

The petitioner says that there is insufficient evidence against him. He is in custody for about one year four months. Witness action has not yet begun. It is anybody's guess when the trial will conclude. He prays for bail.

Opposing the prayer, learned advocate for the State draws our attention to the statements of eye-witnesses recorded under Section 164 Cr.P.C. Such witnesses clearly implicate the petitioner.

The alleged offending gun was recovered from the petitioner.

On an overall assessment of the material on record which, prima facie, incriminate the petitioner and in view of the gravity of the charge, we are not inclined to enlarge the petitioner on bail, at this stage.

CRM (DB) 1753 of 2024 is dismissed.

However, since the petitioner has been in custody for quite some time, the learned Trial Court is directed to expedite the trial to the fullest and to conclude the same at an early date. We are told that July 3, 4 and 7, 2024 have been fixed as the dates for recording evidence. It is expected that recording of evidence will begin on those dates and, in general, the matter will be taken to its logical conclusion at the earliest.

Let this order be communicated 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.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)