

15.07.2024
Item no.64.
Court No.28.
S. De
(Rejected)

CRM (DB) No. 1802 of 2024

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

And

In the matter of : Indrajit Giri.

.....Petitioner.

Mr. Rajdeep Mazumder,
Mr. Mayukh Mukherjee,
Ms. Sagnika Banerjee,
Mr. Souvik Palodee,

.....for the Petitioner.

Mr. Rudradipta Nandy, Ld. APP
Mr. Souvik Gangully,
Mr. Bidram Mitro,

...for the State.

Order dictated in open Court by Apurba Sinha Ray, J.

Learned counsel for the petitioner submits that he is standing on the same footing with Avijit Mondal who has been granted bail by a co-ordinate Bench of this Court. At the time of granting bail, the co-ordinate Bench described the said Avijit Mondal as the chief/main conspirator in connection with the relevant offence. The present petitioner is standing on better footing than the said accused Avijit Mondal since the allegation against him is that he along with another brought the offending vehicles from Delhi. However, there is no other material which shows the complicity of the present petitioner in this case.

Learned counsel appearing for the State has raised strong objection. According to him, the present petitioner is not standing on the same footing with the accused Avijit Mondal since from the tower location of the mobile phones, it shows that the present petitioner was all along with the assailants who killed the victim. He submits copies of inputs showing the tower location of the present petitioner. He also submits that the vehicles which were used by the assailants were stolen by the present petitioner and another from Delhi and, thereafter, the said vehicles were used in committing the crime with some design.

We have gone through the material-on-record and the relevant tower location as shown by the I.O. which fortify the submission of the learned State counsel. It also appears that no material is submitted from the side of the petitioner showing that the registered ownership of offending vehicles belong to him. Considering the seriousness and gravity of the offence, we are not inclined to allow the prayer for bail of the present petitioner at this stage.

CRM (DB) 1802 of 2024 is dismissed.

Learned counsel for the State submits that though there are 100 witnesses, he is submitting on instruction that the prosecution will examine not more than 35 witnesses.

Since the petitioner is in custody for a substantial period of time, we direct the learned Trial Court to expedite the

trial to the extent possible and conclude the same as soon as possible.

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.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)