

43.
Court
No.28

02.07.2024

(Tanmoy)

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 1883 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973, in connection with **Duttapukur Police Station Case No. 984/2023** dated **24.09.2023**.
And
In the matter of: - **Anup Das**
...petitioner.

Mr. Surajit Basu, Adv.,
Ms. Gargi Bhattacharya, Adv.,
Ms. Jasika Alam, Adv.
...for the petitioner.

Mr. Ranadeb Sengupta, Adv.,
Ms. Dattatreya Dutta, Adv.
...for the State.

The petitioner is the sole accused person. The charge is of theft and murder. The petitioner says that he has been falsely implicated due to political reasons. He has no connection with the alleged offence. He is in custody for more than nine months. Only three out of thirty two witnesses have been examined by the prosecution so far. He should be released on bail.

Learned Advocate for the State, while opposing the prayer for bail, draws our attention to the material in the case diary including the statements of witnesses, the seizure list and the post mortem report. The seizure list indicates that the offending weapon, a mobile phone and a bunch of keys were seized from the work place of the petitioner.

In view of *prima facie* incriminating evidence against the petitioner, we are not inclined to allow his prayer for bail, at this stage. Accordingly the prayer for bail is rejected.

The application being CRM (DB) 1883 of 2024 is accordingly dismissed.

However, we direct the learned Trial Court to expedite the trial to the fullest so that the same can be taken to its logical conclusion at the earliest and preferably within one year from the next date fixed for recording of evidence.

In the event the trial is not completed within the time period indicated above, the petitioner may renew his prayer for bail.

This order shall be immediately communicated by the parties to the learned Trial Court.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)