

CRM (DB) 2329 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Pathar Pratima Police Station** Case No. **111 of 2022** dated **23.04.2022** under Section **498A/302/304B/34** of the Indian Penal Code.

- A n d -

In the matter of : Habu @ Bibekananda Mondal & Anr.

.... Petitioners.

Mrs. Minoti Gomes,
Mr. Pradip Paul,
Ms. Renesa Dey,

... For the Petitioners.

Mr. Abhishek Sinha,
Mr. A. Mukherjee,

... For the State.

Order dictated by Arijit Banerjee, J.:

1. The petitioners renew their prayer for bail which was rejected on more than one occasion earlier, lastly on September 6, 2022. By that order the coordinate Bench had requested the trial court to expedite the trial and conclude the same preferably within one year from the next date fixed for recording of evidence.

2. Learned Advocate for the petitioners says that the petitioners are elderly persons and are in custody for two years and four months. They are the parents-in-law of the victim housewife. They have no role to play in the alleged incident.

3. Learned Advocate for the State while opposing the prayer for bail draws to our attention an order September 25, 2023, passed by a coordinate bench in CRM (DB) 3717 of 2023, being an application for bail made by another accused person. While rejecting the bail prayer, the coordinate Bench requested the

learned Trial Court to complete the trial preferably within two years from the date of the order.

4. We find that the two years time granted will expire only in September 2025. We further find from the material on record that the role of the present petitioners in the alleged offence cannot be ruled out.

5. Accordingly, we are not inclined to enlarge the petitioners on bail.

6. CRM (DB) 2329 of 2024 is, thus, dismissed.

7. However, we reiterate that the trial must be concluded within the time period indicated by the Coordinate Bench in its order dated September 25, 2023 failing which the petitioners will be entitled to renew their prayer for bail.

8. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Prasenjit Biswas, J.)

(Arijit Banerjee, J.)