

48. 12.08.2024
Court
No.6 (Tanmoy)

Rejected

CRM (DB) 2524 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973/ Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with Ranaghat GRPS Police Station Case No.9/2021, dated 27.6.2021.

And

In the matter of: - **Anup Roy @ Pacha & Anr.**

...petitioners.

Mr. Nilendra Narayan Roy

...for the petitioners.

Mr. Arijit Ganguly

Mr. Sachit Talukder

...for the State.

1. Learned lawyer for the petitioners contends petitioners are in custody for over two years and three years, respectively. He submits there is no progress in trial. They pray for bail.
2. Learned lawyer for the State opposes the bail prayer and submits that there are sufficient evidence incriminating the petitioners in the murder. Trial is in progress.
3. We have considered the materials on record. Petitioners have been charged with conspiracy to commit murder. Trial is in progress. Five witnesses have been examined. However, vulnerable witnesses are yet to be examined. Offences, if proved, could attract mandatory life imprisonment.
4. In view of gravity of the offence and other vulnerable witnesses are yet to be examined, we are not inclined to grant bail to the petitioners.
5. Accordingly, prayer for bail is rejected.

6. We request the Trial Court to examine the witnesses by fixing schedules at short intervals and conclude the trial at an early date preferably within two years from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.

(Apurba Sinha Ray, J.)

(Joymalya Bagchi, J.)