

24.09.2024
Item no.46.
Court No.28.
S. De
(Rejected)

CRM (DB) No. 2545 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

And

In the matter of : Dipu Sardar @ Dipu Sardar.

.....Petitioner.

Mr. Kusal Kumar Mukherjee,
Mr. Narattam Acharyya,for the Petitioner.

Mr. Anand Kesari
Mr. S.S. Saha,for the State.

Dictated by Arijit Banerjee, J.

1. The petitioner says that he is in custody for close to three years. He has been falsely implicated. He should be enlarged on bail.
2. Learned State advocate, while opposing the prayer, points out that prima facie, there are incriminating materials against this petitioner. There are eyewitnesses to the incident of murder. He further tells us that 11 out of 14 chargesheet named witnesses have already been examined. The prosecution shall examine two more witnesses.
3. We, therefore, see that the trial is on the verge of conclusion. Keeping in mind the prima facie material that is available against the petitioner, we are not inclined to grant him bail at this stage.
4. CRM (DB) 2545 of 2024 is dismissed.

5. However, since the petitioner has been in custody for a long period of time, we direct the learned Trial Court to expedite the trial to the fullest extent possible and conclude the same by delivery of judgment at an early date and positively by the end of this year.
6. Let this order be communicated by the parties to the learned Trial Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)