

22.
03-12-2024
(ct. no.29)
S. De
(Rejected)

CRM (DB) 2957 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure as amended under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

And

In the matter of : Harun Rashid & Anr.Petitioners.

Mr. Anisur Rahaman, ...for the petitioners.

Mr. Saibal Bapuli,
Mrs. Shaila Afrin,for the State.

Mr. Arnab Chatterjee, ...for the de facto complainant.

Dictated by Arijit Banerjee, J.

1. The petitioners say that they are in custody for 3 years and 8 months. However, very candidly they say that all witnesses have been examined. Examination under Section 313 Cr.P.C. was also completed on November 30, 2024. The defence has expressed its willingness to adduce evidence. We, therefore, see that there is no delay in progrewss of the trial at least on account of the prosecution.
2. In view of the aforesaid and in view of the prima facie incriminating material against the petitioners, we are not inclined to grant bail to the petitioners, at this stage.
3. CRM (DB) 2957 of 2024 is dismissed.
4. However, considering the prolonged incarceration of the petitioners, we request the learned trial Court to conclude the trial at the earliest.
5. Let this order be communicated by the parties to the learned Trial Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)