

07.11.2024
sdas/tkm/ct 28
sl no. 88

C.R.M. (DB) 3513 of 2024

In Re : An application for bail under section 483 of the BNSS 2023 in connection with Margram PS case no. 27 of 2023 dated 5.2.2023 under sections 147/148/149/341/325/326/307/302 IPC and sections 3/4 of the Explosive Substance Act

And

In Re : Bapi Sk @ Bapi Ahammed & Anr. petitioners

Mr. S K Das
Mr. Sujan Cnhatterje
Ms. S Sinha
Mr. Rohan Bavishi

..... for the petitioners

Ms. Avishek Sinha
Mr. Rahul Ganguly

..... for the State

Mr. Bitasok Banerjee

..... for the de facto complainant

1. Petitioners are in custody for about two years. They submit there is slow progress in trial. They renew their bail prayer.
2. Learned lawyer for the State submits trial has considerably progressed. Ten more witnesses are yet to be examined.
3. Learned lawyer for the de facto complainant contends bail prayer of the petitioners was rejected earlier on merits.
4. We have considered the materials on record. Bail prayer of the petitioners was rejected earlier on merits. 18 witnesses have already been examined. It is proposed that remaining witnesses shall be examined within six months. Keeping in mind the gravity of offence and progress in trial we are not inclined to grant bail to the petitioners at this stage.
5. Accordingly, prayer for bail is rejected.

6. However, we direct the trial court to fix schedules at short intervals and make endeavour to conclude the trial at an early date in light of the assurance given by the prosecution to conclude examination of remaining witnesses within six months subject to cooperation of defence and other systemic delay.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)