

13.05.2024
Sl. No.53
akd
[Rejected]

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri

C. R. M. (DB) 154 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 05.03.2024 in connection with Kotwali Police Station Case No. 158 of 2021 dated 24.03.2021 under Sections 447/376/302 of the Indian Penal Code.

And

In Re: **Birbal Pahari @ Pahari**

... .. Petitioner

Mr. Jaydeep Kanta Bhowmik
Mr. Sayantan Bhowmik
Mr. Shubham Kumar
Ms. Ritka Sarkar
Ms. Sayantani Das

... .. for the petitioner

Mr. Ujjwal Luksom
Ms. Namrata Das

... .. for the State

1. Heard the learned Advocates appearing for both the parties.
2. We have considered the materials on record. Petitioner is charged with rape and murder. Offences, if proved, would attract mandatory life imprisonment. Trial is in progress. Five witnesses have already been examined. Under such circumstances, we are not inclined to grant bail to the petitioner at this stage.
3. The application for bail is thus rejected.
4. Trial court is directed to expedite the trial and conclude the same 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.

5. Parties shall communicate a copy of this order to the trial court for due compliance.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)