

CRM (DB) 315 of 2025

In re: An application for bail under Section 439 of the Code of Criminal Procedure/Section 483 of the BNSS in connection with **Gariahat Police Station** Case No. **329 of 2019** dated **12.12.2019** under Sections **120B/302/34** of the Indian Penal Code.

- A n d -

In the matter of : Dimple Jund

.... Petitioner.

Mr. Deepak Prahladka,
Ms. Reshmi Khatun,

... For the Petitioner.

Mrs. Shreyashee Biswas,
Mr. Mainak Gupta,

... for the State.

Dictated by Apurba Sinha Ray, J:-

1. Learned Advocate for the petitioner submits that the petitioner is in custody for more than four years five months. There is no possibility of an early conclusion of the trial and it is anybody's guess as to when the trial will conclude. Only 14 out of 59 charge sheet named witnesses have been examined. The prosecution has failed to comply with the time period given by the Hon'ble Court on two occasions. Considering the period of detention, the petitioner being a lady, may be enlarged on bail.

2. Learned Advocate for the State opposes the bail prayer. He submits that 10 to 12 witnesses will be examined. 14 witnesses have deposed before the learned Trial Court and there is sufficient incriminating material against the petitioner. If the petitioner is enlarged on bail, the prosecution may suffer a lot.

3. We have considered the rival contentions of the parties. We have found that there are sufficient incriminating materials

against the petitioner. She has been tried as a conspirator. However, several looted booties including huge amount of cash and gold ornaments, strips of medicine, blood stained wearing apparel of the accused persons have been recovered. The allegation is so serious that other juveniles are being tried as adult in the trial Court. However, we find that the delay caused, if any, cannot be attributed to the prosecution entirely.

4. Considering the materials on record and also the submission of the learned State Advocate that the prosecution will examine 10 to 12 witnesses only and conclude the trial within eight months and also in view of the seriousness of the charge and availability of incriminating materials against the petitioner, we are not inclined to enlarge the petitioner on bail, at this stage.

5. CRM (DB) 315 of 2025 is, thus, dismissed.

6. We clarify that in the event the trial is not concluded within the period indicated by the State as recorded above, the petitioner will be at liberty to renew her prayer for bail.

7. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)