

16.05.2025

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jb.
jdt.

C.R.M. (M) 11 of 2025

In Re : An Application under Section 439 of the Code of Criminal Procedure/under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Usthi Police Station Case No. 146 of 2021 dated 03.05.2021 under Sections 447/325/302/34 of the Indian Penal Code and under Sections 25/27 of the Arms Act.

And

In Re : Chirnajit Roy @ Chiran @ Chiranjit Roy @ Chiran Roy
.... Petitioner

Omar Faruk Gazi
Ms. Susmita Das

... For the Petitioner.

Mr. Amajit De

... For the CBI

The petitioner is in custody for close to three years and prays for bail.

Learned counsel for the petitioner submits that the petitioner is similarly circumstanced with the co-accused who have been granted bail earlier.

CBI stated before this Court examination of prosecution witnesses would conclude by December, 2024. But as on this date 6 out of 30 witnesses have been examined in chief. Application under Section 231 of the Code of Criminal Procedure having been allowed by the learned trial Court, their cross-examination is deferred.

Learned counsel for the State opposes the prayer.

I have considered the material on record. The petitioner appears to be the principal assailant who shot at the victim resulting in his death. He is not similarly circumstanced with the co-accused who have been granted bail. The petitioner is in

custody for more than two years and conviction, if any, shall attract mandatory life imprisonment. Considering the material on record connecting the petitioner to the alleged crime, prayer for bail is rejected at this stage.

However, learned trial Court is directed to expedite the trial without granting any unnecessary adjournment to either of the parties.

The application for bail is disposed of.

Case diary be returned.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)