

CRM (DB) 3297 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

- A n d -

In the matter of : Rakhi Das.

.... Petitioner.

Mr. Arindam Jana,
Ms. Dipa Acharyya,
Mr. Baibhav Ray,
Ms. Sinjini Chakraborty,

... For the Petitioner.

Ms. Anasuya Sinha, Ld. APP,
Ms. Debjani Dasgupta,

... For the State.

Order dictated by Arijit Banerjee, J.

1. A report has been filed by the State which be kept with the records.
2. The petitioner renews her prayer for bail which was rejected earlier on merits by an order dated February 22, 2024, passed by a Co-ordinate Bench in CRM (DB) 454 of 2024.
3. The petitioner says that she is in custody for 1 year and 3 months. There are 42 chargesheet named witnesses. Only 8 witnesses have been examined so far. There is delay in progress of trial. Considering that she is a lady, she should be enlarged on bail.
4. Opposing the prayer, learned APP, tells us that there is substantial progress in the trial. After framing of charge on August 6, 2024, 8 witnesses have already been examined. It is possible that the prosecution may not examine all the chargesheet named witnesses.

5. We have considered the material-on-record. It, prima facie, appears that this petitioner entered into a conspiracy with her paramour to eliminate the petitioner's husband. Prima facie, sufficient incriminating material is there.
6. The trial is progressing and it cannot be said that there is delay in that regard. We are, therefore, not inclined to allow the petitioner's prayer for bail, at this stage, keeping in mind that if convicted, the petitioner shall attract a mandatory punishment of life imprisonment.
7. CRM (DB) 3297 of 2024 is dismissed.
8. Since the petitioner is in custody for quite some time, we direct the learned Trial Court to expedite the trial to the fullest extent possible and conclude the same on an early date.
9. Let this order be communicated by the parties to the learned Court below.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)