

24.
07-02-2025
(ct. no.29)
debajyoti
(rejected)

CRM (DB) 3936 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of the Bhartiya Nagarik Suraksha Sanhita in connection with Kharagpur (Local) Police Station Case No.372 of 2023 dated 07-04-2023 under Sections 302/201/376D/379/411/34 of the Indian Penal Code.

- A n d -

In the matter of : Shibu Dolai @ Shibu Dolui
.... Petitioner.

Mr. Amit Ranjan Pati,
Ms. Swastika Chowdhury
... For the Petitioner.

Mr. Soumik Ganguli,
Ms. Kanchan Roy
... For the State.

Dictated by Arijit Banerjee, J.

1. The petitioner renews his prayer for bail which was earlier rejected on merits by an order dated September 06, 202 passed in CRM (DB) 3485 of 2023.

2. The petitioner says that three witnesses have been examined and none of them really implicates the petitioner. He is in custody for about 1 year 10 months. There are 32 charge sheet named witnesses. There is no possibility of an early conclusion of the trial. He may be enlarged on bail.

3. Opposing the prayer, learned State advocate draws our attention to the material in the Case Diary. We have seen the statements of witnesses recorded under Section 164 of the Code of criminal Procedure. Learned Advocate tells us that

there is CCTV footage which would show that the victim lady and the petitioner were last seen together.

4. We have considered the material on record. The allegation is that the accused persons including the petitioner raped and murdered the victim lady. This was because the victim lady had reported a theft committed by the petitioner and his associates in the complex where the victim lady worked as a maid servant. Personal belongings of the victim had been recovered from the petitioner including the victim's bicycle and tiffin box.

5. In view of the nature and gravity of the alleged crime, in spite of the petitioner being in custody for about one year ten months and considering that there is overwhelming material against him and if convicted, he will have to undergo mandatory life imprisonment, we are not inclined to entertain his prayer for bail, at this stage.

6. The application for bail is, thus, **dismissed**.

7. However, considering the petitioner's period of detention, we direct the learned trial Court to expedite the trial to the fullest extent possible and conclude the same on an early date, if necessary, by fixing frequent schedules of examination of witnesses and without granting unnecessary adjournments to either of the parties.

8. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)