

18.
07-03-2025
(ct. no.29)
S. De

CRA (DB) 14 of 2025

In Re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973/ Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

And

In the matter of : Kawsar Sk. @ Kaosar & Anr.

...Petitioners.

Mr. Anirban Guhathakurta,

Mr. Sujan Chatterjee,

Mr. Rohan Bavishi,

.....for the Petitioners.

Mr. Bibhaswan Bhattacharyya,

Ms. Afreen Begum,

.....for the State.

Dictated by Arijit Banerjee, J.

1. The petitioners renew their prayer for bail which was rejected earlier on July 10, 2024, in CRM (DB) 1920 of 2024. While allowing the bail prayer of 4 accused persons, the bail prayer of these two petitioners was rejected by a co-ordinate Bench.
2. Status report filed by the State be kept with the records.
3. We find that charge was framed in June, 2024. Since then, the prosecution has already examined 7 witnesses. There are 30 chargesheet named witnesses.
4. Learned State counsel says that as of now it cannot be said how many witnesses the prosecution will actually examine. However, all efforts will be made to conclude the trial on an early date.
5. We see from the depositions of the 7 witnesses examined that eyewitnesses clearly implicate these two petitioners as the prime assailants. The offending weapons were recovered from these two petitioners. One person died in the alleged incident and two persons suffered serious injuries.

6. Given the nature and gravity of the alleged crime and seeing that if convicted, the petitioners shall have to serve mandatory life sentence, we are not inclined to enlarge them on bail, immediately.
7. CRM (DB) 14 of 2025 is dismissed.
8. However, considering that the petitioners have been in custody for about 1 year and 7 months, we direct the learned Trial Court to expedite the trial to the fullest extent possible and conclude the same on an early date without granting unnecessary adjournments to either of the parties and, if necessary, by fixing frequent schedules to 3 /4 days each for examination of witnesses.
9. Let this order be communicated by the parties to the learned Trial Court.

(Prasenjit Biswas, J.)

(Arijit Banerjee, J.)