

14.02.2025
Item no. 44.
Court No.29.
AB
(Rejected)

CRM (DB) 69 of 2025

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Tamluk P.S. Case No.554 of 2023 Dated 24.05.2023 Under Sections 498A/302/34 of the Indian Penal Code

And

In the matter of : Prabir Das & Anr.

.....Petitioners.

Mr. Swapan Kr. Mallick,
Ms. Sudeshna Dasfor the Petitioners.

Ms. Baisali Basu
Mr. Ratul Ghoshfor the State.

Dictated by Arijit Banerjee, J.

1. The petitioners say that they are in custody for one year and seven months. Only 1 out of 10 charge sheet named witnesses has been examined. They renew their prayer for bail.
2. Learned State Advocate draws our attention to the statement of the minor girl of the victim lady and the petitioner no.1. She vividly describes the shocking incident as to how her father and grandmother, being the petitioner nos.1 and 2 herein, set her mother on fire, causing serious burn injuries. The minor child also suffered burn injuries. The victim succumbed to the burn injuries in the hospital.
3. In view of the aforesaid and in view of the fact that the bail prayer of the petitioners was rejected earlier on merits on October 13, 2023 and September 25, 2023

respectively, we are not inclined to enlarge the petitioners on bail.

4. As regards the delay, we find that the defence has taken adjournment on several occasions and, therefore, it cannot be said that the prosecution is solely responsible for the delay in progress of the trial.
5. The prayer for bail is rejected.
6. CRM (DB) 69 of 2025 stands dismissed.
7. However, considering the period of detention of the petitioners, we direct the learned Trial Court to expedite the trial to the fullest extent possible and conclude the same on an early date.
8. The parties shall communicate this order to the learned Trial Court.
9. 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.)