

C.R.M. 2222 of 2020

In the matter of : An application for bail under section 439 of the Code of Criminal Procedure in connection with Kalyani P.S. Case No. 94 of 2014 dated 22.02.2014 under sections 302/379/34 of the Indian Penal Code read with sections 25/27 of the Arms Act.

And

In the matter of : Bijoy Barai @ Bijay Barai @ Barui @ Puchki

Mr. Shekhar Barman

... .. for the petitioner

Mr. Neguive Ahmed, APP

Ms. Amita Gaur

... .. for the State

Mr. Moloy Bhattacharya

Mr. S. Ghosh

... .. for the de facto complainant

Petitioner is in custody for more than 1000 days. He prays for bail.

Learned lawyer for the State opposes the prayer for bail.

We have considered the statements of witnesses including that of the injured witness under section 164 Cr.P.C. Such statements implicate the petitioner in the crime.

In view of the gravity of the offence and as delay in trial is not attributable to the prosecution, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

Trial Court is directed to conduct the trial with utmost expeditious and conclude the same at the earliest, preferably within six months from date without granting unnecessary adjournment to either of the parties.

The parties shall act in terms of the copy of the order downloaded from the official website of this court.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)