

18.03.2021
Item No.92
Ct.No.28
Subha
rejected

C.R.M. 847 of 2021
(Via Video Conference)

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure.

In the matter of : **Biswanath Roy @ Nanda.** ... Petitioner.

Mr. Angshuman Chakraborty
Mr. Shasanka Sekhar Saha

... For the Petitioner.

Mr. Saibal Bapuli, APP
Mr. Bibaswan Bhattacharyya

...for the State.

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Burdwan Police Station Case No. 779 of 2019 dated 01-10-2019 under Sections 302/34 of the Indian Penal Code.

The petitioner is renewing his prayer for bail. The earlier application for bail being CRM 2745 of 2020 was rejected by a co-ordinate Bench of this court on 14th December, 2020.

It is a case of death by way of strangulation. The body of the boy was found in the residence of the petitioner. For such event, there is incriminating material against the petitioner which prima facie shows the involvement and

complicity of the petitioner in the alleged offence. It is submitted that the trial is unnecessary delayed. Our attention is drawn to the fact that the schedule of recording of evidence was fixed in the month of January, 2021, but none of the counsel appearing for the respective parties are in a position to apprise the court as to the next date so fixed by the trial court.

The learned Trial Court is requested to take steps for expeditiously taking the trial to its logical conclusion.

Since we do not think any justification/any ground allowing the application for bail, the same is, hereby, rejected.

With the aforesaid observations, the application for bail being CRM 847 of 2021 is, accordingly, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Harish Tandon, J.)

(Tirthankar Ghosh, J.)