

18.03.2021
Item No.94
Ct.No.28
Subha
rejected

C.R.M. 852 of 2021
(Via Video Conference)

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

In the matter of : **Sk. Jaber Ali.** ... Petitioner.

Mr. Niladri Sekhar Ghosh
Ms. Srimoyee Mukherjee
... For the Petitioner.

Mr. Saswata Gopal Mukherji, PP
Mr. Partha Pratim Das
Ms. Manasi Roy ...for the State.

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Goghat Police Station Case No. 29 of 2009 dated 24-02-2009 under Sections 498(A)/304(B) of the Indian Penal Code(G. R. Case No. 107 of 2009).

The petitioner happens to be the husband of the deceased. The present case was initiated in the year 2009 and the petitioner was arrested on 8th February, 2020.

Having regard to the fact that the petitioner had been evading the process of law and absconding for a period of more than 10 years, we are not inclined to accede to the prayer of the learned advocate for the petitioner. It is found

from the records that the trial of the case has just started and the learned Sessions Court has fixed date for examination of the witnesses on 23rd April, 2021. As the petitioner delayed the progress of trial, we are not inclined to release the petitioner on bail and as such, the prayer for bail of the petitioner is rejected.

With the aforesaid observations, the application for bail being CRM 852 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.)