

18.08.2021

CRM 4173 of 2021

court no. : 28
Item no. : PB - 10
matter : 439
status : REJECTED
transcriber : nandy

In Re:- An application for **Bail** under Section **439** of the Code of Criminal Procedure filed on 10.06.2021 in connection with Burdwan Police Station Case No. 165 of 2018 dated 22.05.2018 under Section 498A/304B/302/34 of the Indian Penal Code with Sections 3/4 of the Dowry Prohibition Act.

and

In the matter of: **Kanchan Dhibar**

.....Petitioner

Mr. Ayan Chakraborty, Advocate

.....for the Petitioner

Mr. Saibal Bapuli, learned A.P.P.

Mr. Arijit Ganguly, Advocate

Mr. Sanjib Kumar Dan, Advocate

.....for the State

Seven out of fifteen charge-sheeted witnesses have already been examined and discharged in course of trial. The petitioner says that the last of such examination of PW-7 was in the year 2019 and, thereafter, no progress has been shown in the matter.

We find that the earlier applications for bail filed by the petitioner got rejected by this Court recording a prima facie finding that there is incriminating materials against the petitioner over his involvement in murdering the housewife. We have further perused the statement of witnesses recorded under Section 161 of the Code of Criminal Procedure. We do not find any changed circumstances warranting a different decision to be taken.

As such, the prayer for bail is **rejected**.

The application being **CRM 4173 of 2021** is accordingly **dismissed**.

However, we request the learned Sessions Judge in the trial Court to expedite the trial of the case and efforts shall be shown to bring the case to its logical conclusion within eight months from the date of receipt of this order.

(Harish Tandon, J.)

(Bibek Chaudhuri, J.)