

17.11.2021

Court No.28
Item No.37
(REJECTED)

Saswata

CRM 4766 of 2021

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Durgapur Police Station Case No. 325 of 2017 dated 26.05.2017 under Sections 302/201 of the Indian Penal Code;

And

In the matter of : **Haider Sk. @ Haider Ali**

...Petitioner

Mr. S. Basu Roy Chowdhuri

...For the Petitioner

Mr. Saibal Bapuli, APP

Mr. Arani Bhattacharyya

... For the State

The petitioners have filed the instant application for bail under Section 439 of the Code of Criminal Procedure in connection with Durgapur Police Station Case No. 325 of 2017 under Sections 302/201 of the Indian Penal Code.

The petitioner is incarcerated for a period of 4 years and 6 months in connection with the aforementioned case.

The case was registered on the alleged incident of the murder of the wife of the petitioner.

The daughter of the petitioner has divulged the fact ascribed to the role of the petitioner in commission of the offence. Furthermore, out of 29 charge sheeted witnesses, 7 have been examined. Next date is fixed on 30th November 2020 for recording the evidence of the 8th witness.

Since there has been a substantial progress in the case, we do not find any justification in enlarging the petitioner on bail.

The prayer for bail is, thus, ***rejected***.

However, we direct the prosecution to produce the charge sheeted witnesses as well as the petitioner on the date so fixed, so

that the evidence of the said witnesses can be recorded.

We request the Learned Judge to take utmost endeavor to bring the case to its logical end an earliest without granting undue adjournments to either of the parties.

The application for bail being CRM 4766 of 2021 is accordingly ***dismissed.***

(Harish Tandon, J)

(Rabindranath Samanta,J.)