

16.11.2021

CRM 5059 of 2021

court no. : 28
Item no. : PB-57
matter : 439
status : REJECTED
transcriber : nandy

In Re:- An application for **Bail** under Section **439** of the Code of Criminal Procedure filed on 30.07.2021 in connection with Katwa Police Station Case No. 345 of 2017 dated 22.07.2017 under Sections 498A/302/201/34 of the Indian Penal Code. (G.R. Case No. 623 of 2020)

and

In the matter of: **Ujjwal Bhaskar Ghosh**

.....Petitioner

Mr. Tanmy Kumar Ghosh, Advocate

Mr. Arindam Sen, Advocate

.....for the Petitioner

Mr. Avik Kumar Das, Advocate

Mr. Dilip Kumar Sadhu, Advocate

.....for the State

The petitioner has filed the instant application for bail in connection with Katwa Police Station Case No. 345 of 2017 dated 22.07.2017 under Sections 498A/302/201/34 of the Indian Penal Code.

This is the fourth round of litigation at the behest of the petitioner. The bail application filed on earlier occasion was rejected by this Court obviously upon considering the conduct of the petitioner attributable to the commission of an offence. A point has been taken by the petitioner that the trial is delayed unnecessarily and there is no chance of conclusion thereof.

After hearing the learned Counsel for the parties and on perusal of the materials-on-record including the statement of the eyewitnesses, one of whom is a minor, we do not find it a fit case where the petitioner should be released on bail. Furthermore, out of 31 chargesheeted witnesses 16 have already been examined and, therefore, the trial has substantially progressed.

The prayer for bail is **rejected**.

The application for bail being **CRM 5059 of 2021** is thus **dismissed**.

Though the learned Advocate for the State is unable to disclose the next date fixed by the Sessions Judge but once the ball of trial has rolled, we can reasonably presume that the schedule of evidence has already been fixed by the Sessions Judge. Though we do not find any material for granting bail and rejects the prayer for bail, yet we request the Sessions Judge to expedite the trial of the case so that it can be brought to its logical conclusion at an early date.

(Harish Tandon, J.)

(Rabindranath Samanta, J.)

