

06.12.2021.
13.
as
(Rejected)

C.R.M. 5094 of 2021

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Santipur P.S. Case No.362 of 2017 dated 02.09.2017 under Sections 302/34 of the Indian Penal Code and Sections 25/27 of the Arms Act.

In the matter of : Sukanta Debnath.

...Petitioner.

Mr. Subir Debnath.

...for the Petitioner.

Mr. Neguive Ahmed, Ld. A.P.P.,
Ms. Trina Mitra.

...for the State.

Heard the learned Advocates appearing for the petitioner and the State.

Petitioner renews his prayer for bail. It is submitted on behalf of the petitioner that he is in custody for four years and it is submitted that there is very slow progress in the trial of the case.

Learned Advocate appearing for the State opposes the prayer for bail and submits that the petitioner has been identified as the person who shot at the deceased.

We have considered the materials on record including the statements of witnesses prima facie disclosing involvement of the petitioner in the crime as the person who shot the deceased. Allegations are very grave. Delay in the trial was due to the intervening pandemic.

In view of the aforesaid facts, we are not inclined to enlarge the petitioner on bail.

However, as petitioner has suffered protracted period of detention, we direct the trial court to conduct the trial as expeditiously as possible preferably within one year from the next date fixed before the said court without granting unnecessary adjournments to either of the parties.

Accordingly, the prayer for bail of the petitioner is rejected.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)