

01.11.2021

Item No.59

Ct. No 08

Sdas/AJ.

Rejected

**C.R.M. 6969 of 2021
(via video conference)**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Arambagh Police Station Case No. 363 of 2020 dated 05.10.2020 under Sections 302/34 of the of the Indian Penal Code.

And

In Re : Shyamsundar Biswas. petitioner

Mr. Niladri Sekhar Ghosh.

... for the petitioner

Mr. Swapan Banerjee,

Ms. Purnima Ghosh.

... for the State

It is submitted by Mr. Ghosh, learned advocate appearing on behalf of the petitioner, that the petitioner is in custody since long without facing any trial.

Having regard to the nature of the offence under Sections 302/34 of the Indian Penal Code and as per the submissions made on behalf of the parties and in consideration of the statement of the victim injured being the dying declaration placed in the case diary, prayer for bail is considered and rejected.

It may be noted that long custody is not a ground for grant of bail in the offence of such a nature.

Accordingly, prayer for bail is rejected and the application being C.R.M. 6969 of 2021 is dismissed.

However, the learned Sessions Judge is requested to undertake the trial of the case as expeditiously as possible without granting any unnecessary adjournment to either of the parties.

(Ananda Kumar Mukherjee, J.)

(Shivakant Prasad, J.)