

10.12.2021
tkm/ct 28
sl no. 110

C.R.M. 7132 of 2021

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Serampore PS case no. 332/2017 dated 6.7.2017 under sections 498A/302/34 of the IPC

And

In Re : Md. Nizamuddin petitioner

Mr. S Ghosh Chowdhury

..... for the petitioner

Mr. N Ahmed

Ms. Sujata Das

..... for the State

Petitioner renews his prayer for bail and submits that he is in custody for more than four years. It is further submitted that there is very slow progress in the trial of the case.

Learned lawyer for the State opposes the prayer for bail and submits that the petitioner and co-accused had disposed of the dead body of the victim in order to screen themselves from legal punishment.

We have considered materials on record. Statements of witnesses prima facie disclose involvement of the petitioner in the alleged crime. Trial is in progress. We note that the defence had prayed for adjournment of cross examination of witness resulting in delay in progress of trial. Hence, it appears that the defence has contributed to the delay in trial.

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

Accordingly, the prayer for bail is rejected.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)