

17.03.2021.
42.
as
(Rejected)

C.R.M. 11100 of 2020

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Gangarampur P. S. Case No.198 of 2018 dated 30.07.2018 under Sections 498A/302/506/34 of the Indian Penal Code.

In the matter of : Abdul Chhaham Mia.

.... Petitioner.

Mr. Bibaswan Bhattacharyya.

...for the Petitioner.

Mr. Swapan Banerjee,
Ms. Purnima Ghosh.

...for the State.

This is an application for bail in connection with Gangarampur P. S. Case No.198 of 2018 dated 30.07.2018 under Sections 498A/302/506/34 of the Indian Penal Code at the behest of the petitioner.

It is submitted that the petitioner is in custody for 961 days. The prayer for bail of the petitioner is made on the ground of delayed disposal of the sessions case. It is submitted that only one witness has been examined out of 17 charge sheeted witnesses.

The learned Advocate appearing for the State opposes the prayer for bail and submits that the victim died because of the strangulation and there are incriminating materials available

against the petitioner being the husband of the deceased victim.

It is no doubt true that there has been a considerable delay in the trial of the case. Only one witness has been examined out of 17 charge sheeted witnesses. The next date is fixed on 22nd April, 2021 for recording the evidence of the other witnesses. We do not find that the petitioner should be released on bail at this stage.

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

However, we request the learned Sessions Judge to expedite the matter and bring the case to its logical conclusion within reasonable time.

(Harish Tandon , J.)

(Tirthankar Ghosh, J.)