

25.03.2022.
50.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 483 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kaliachak P. S. Case No.756 of 2016 dated 26.10.2016 under Sections 302/376(2)(g)/201/34 of the Indian Penal Code.

In the matter of : Sany @ Sanyrul @ Md. Sanirul Sk.
... Petitioner.

Mr. Avinaba Patra,
Mr. Partha Sarathi Das,
Mr. S. De.
...for the Petitioner.

Mr. Madhusudan Sur, Id. A.P.P.,
Mr. Dipankar Paramanick.
...for the State.

Heard the learned Counsels appearing on behalf of the parties.

It is submitted on behalf of the petitioner that he is in custody for over five years. It is further submitted co-accused has been granted anticipatory bail.

Learned Counsel appearing for the State opposes the prayer for bail. He submits prayer for bail of the petitioner had been rejected earlier on a number of occasions.. Trial at its fag end.

We have considered the materials on record. The case relates to gang rape of a victim who was subsequently murdered. There are materials implicating the petitioner in the crime and his prayer for bail was rejected earlier on a number of occasions. Trial at its fag end.

In view of the gravity of the offence and as the trial is nearing completion, we are not inclined to grant bail to the petitioner.

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

We request the Trial Court to conclude the trial at an early date preferably within three months from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.

(Bivas Pattanayak,J.)

(Joymalya Bagchi, J.)