

04.04.2022
Serial no.37
[Dd]
(Bail **Rejected**)

CRM (DB) 746 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Hanskhali** Police Station Case No. **130** of **2018** dated **28.04.2018** under Sections **447/448/325/326/307/302/34** of the Indian Penal Code.

-And-

In the matter of : Basudeb Ghosh

... ..Petitioner

Mr. Prabir Majumder, Advocate

... .. For the Petitioner

Mr. Binay Panda,

Mr. Subham Bhakat, Advocate

... ...For the State

Petitioner renews the prayer for bail.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 3 years and 55 days. Out of 18 days at the trial 16 were adjourned at the behest of the prosecution while the petitioner took adjournments twice.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary.

There are occasions when, the functioning of the Court was impacted due to COVID-19 and not to attend resolution.

Considering the fact that materials placed on record does not establish conclusively that the prosecution was indolent in proceeding with the trial and considering the fact that there is hardly any change in circumstances subsequent to the earlier order of rejection, we are not inclined to grant bail to the petitioner.

Prayer for bail of the petitioner is **rejected**.

CRM (DB) 746 of 2022 is **dismissed**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)