

08.06.2022
cm/ct 28
sl no. 57

C.R.M.(DB) 1435 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Budge Budge P.S. Case No. 35 of 2019 dated 19.02.2019 under Section 447/326/307/34 of the Indian Penal Code and Sections 25(i)(a)/27 of the Arms Act and Sections 4/5 of the Explosive Substances Act

And

Rejected

In Re : Md. Kayes @ Kyash @ Md. Keysh petitioner

Mr. Pradip Kumar Kundu

..... for the petitioner

Mr. Madhusudan Sur, Ld. A.P.P.

..... for the State

Petitioner is in custody for more than three years. There is slow progress in the trial of the case.

Learned lawyer for the State opposes the prayer for bail and submits the ballistic report shows that the victim was fired from the gun recovered from the petitioner.

We have considered the materials on record prima facie disclosing involvement of the petitioner in the alleged crime. Delay in the progress of trial was due to the intervening pandemic conditions.

In view of the gravity of the offence and other attending facts and circumstances of the case, we are of the opinion this is not a fit case to grant bail to the petitioner.

Trial court is directed to conclude the trial at an early date preferably within six months from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.

Accordingly, the prayer for bail is rejected.

The application being CRM(DB) No. 1435 of 2022 is rejected.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)