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**In the High Court at Calcutta
Criminal Miscellaneous Jurisdiction
Appellate Side**

C.R.M (DB) 1473 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 30th May, 2022 in connection with Nadial Police Station Case No. 37 dated 19th March, 2017 under sections 364/302/201/120B of the Indian Penal Code

And

In the matter of: Jiyarul Mallick

.....petitioner

Mr. Santanu Talukdar,
Mr. Atanu Ghosh

...For the petitioner.

Mr. Sudip Ghosh,
Mr. Bitasok Banerjee

... For the State.

Liberty is granted to amend the cause title.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is renewing his prayer for bail for the second time. There is hardly anything against the present petitioner so far as the present allegations are concerned. Yet, he is in custody since 2017. Out of a total of 44 witnesses, only 27 witnesses have been examined till date.

Learned counsel appearing on behalf of the State submits as follows. A leading statement of the petitioner is available in the case diary pursuant to which the offending

weapon i.e., the rope in question, was recovered. The petitioner's prayer for bail was twice rejected by this Court.

We have heard the submissions of the learned counsels and have perused the case diary.

Considering the purported complicity of the present petitioner in the present case and the advanced stage of the trial, we are not inclined to grant bail to the present petitioner.

Therefore, the application for bail is dismissed.

However, the learned trial Court is requested to conclude the trial as expeditiously as possible.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Sugato Majumdar, J.)

(Jay Sengupta, J.)