

27.06.2022

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rejected

C.R.M. (DB) 1961 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Balagarh Police Station Case No. 08 of 2019 dated 11.01.2019 under Sections 498A/302 of the Indian Penal Code.

And

In Re : Biswajit Das petitioner

Mr. Jyoti Prakash Chatterjee
... for the petitioner

Mr. Saswata Gopal Mukherji, learned PP
Mr. Partha Pratim Das
Mrs. Manasi Roy
... for the State

We have considered the materials on record. Statements of the witnesses and contemporaneous documents show that the victim made dying declaration before Medical Officer implicating the petitioner.

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

The application for bail is, thus, rejected.

We direct the trial court to examine the victim at the earliest and conclude the trial as expeditiously as possible preferably within six months from the next date fixed for recording evidence without granting any unnecessary adjournment to either of the parties.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)

