

05.07.2022
Sl. No.20
akd
[Rejected]

C. R. M. (DB) 2098 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 14.06.2022 in connection with Baruipur Police Station Case No. 1161 of 2017 dated 01.05.2017 under Sections 326/307/302 of the Indian Penal Code.

And

In Re: ***Shubhankar Halder***

... .. Petitioner

Mr. Indrajit Roy Chowdhury

... .. for the petitioner

Mr. Rudradipta Nandy .. Id. Addl. Public Prosecutor

Mrs. Sonali Das

... .. for the State

Petitioner renews his prayer for bail.

It is submitted on behalf of the petitioner that he is in custody for more than five years.

Learned Additional Public Prosecutor opposes the prayer for bail and submits that prayer for bail of the petitioner was turned down on merits. Trial has proceeded substantially. 14 out of 18 witnesses have already been examined.

We have considered the materials on record. There are ample evidence disclosing involvement of the petitioner in the murder. In view of the aforesaid facts, we are not inclined to grant bail to the petitioner on merits.

With regard to delay, we note progress of trial was interdicted due to pandemic conditions prevailing in 2020-2021. Notwithstanding such fact trial has considerably progressed and 14 out of 18 witnesses have already been examined. Hence, we are not inclined to grant bail to the petitioner on the score of delay in trial also.

The application for bail is thus **rejected**.

However, we request the trial court to conduct the trial as expeditiously as possible and conclude the same within six months from the next date fixed for recording evidence without granting unnecessary adjournments to either of the parties.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)