

11.07.2022
cm/ct 28

C.R.M. (DB) 2182 of 2022

sl. no. 25

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with **Panchla P.S Case No. 78 of 2017** dated **14.03.2017** under Sections **448/325/307/354B/379/506/34** of the Indian Penal Code.

Rejected

And

In Re : Tapash Makhal

..... petitioner

Mr. Jayanta Narayan Chatterjee
Mr. Ashok Das

..... for the petitioner

Mr. Neguive Ahmed, Ld. A.P.P.
Ms. Trina Mitra

..... for the State

Petitioner renews his prayer for bail. He submits he is in custody for more than four years and eight months. In spite of direction given by this court, trial is proceeding at a slow pace.

Learned Additional Public Prosecutor for the State opposes the prayer for bail. He submits petitioner is the principal accused who assaulted the victim resulting in his death. Trial is in progress. Eight out of seventeen witnesses have already been examined.

We have considered the materials on record. Evidence of the prosecution witnesses implicate the petitioner in the murder. Delay in the trial was due to intervening pandemic conditions.

Keeping in mind the aforesaid facts and gravity of the offence, we are not inclined to grant bail to the petitioner at this stage.

Accordingly, the prayer for bail of the petitioner is rejected.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)

