

26.07.2022.
24.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 2448 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kolkata Lether Complex P.S. Case No.179 of 2017 dated 07.09.2017 under Sections 302/201 of the Indian Penal Code and under Sections 25/27 of the Arms Act and charge sheet submitted under Section 302 of the Indian Penal Code and under Sections 25/27 of the Arms Act.

In the matter of : Mithun Bar.

... Petitioner.

Mr. Gouranga Kr. Das.

...for the Petitioner.

Mr. NeguiveAhamed, ld. A.P.P.,
Ms. Zareen N. Khan,
Ms. Trina Mitra.

...for the State.

Heard the learned Advocates appearing for the parties.

Petitioner is in custody for over four years. It is submitted that the witnesses have not spoken against the petitioner.

Learned Advocate for the State opposes the prayer for bail. He submits bail prayer of the petitioner was rejected earlier. Trial has progressed and eight witnesses have been examined. Bullet head recovered from the body of the deceased matched with the fire arm recovered from the petitioner.

We have considered the materials on record. There is clinching forensic evidence connecting the petitioner with the crime. Trial has considerably progressed since the last rejection of bail by this Court.

Under such circumstances, we are not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is rejected at this stage.

Keeping in mind the protracted period of detention suffered by the petitioner, we direct the trial court to conclude the trial at an early date preferably within one year from the next date fixed for recording evidence without granting any unnecessary adjournment to either of the parties.

(Ananya Bandyopadhyay,J.)

(Joymalya Bagchi, J.)