

28.07.2022  
tkm/ct 28  
sl no. 42

**C.R.M. (DB) 2485 of 2022**

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Habra PS case no. 284 of 2017 dated 20.4.2017 under sections 302 IPC subsequently charge framed under section 302 IPC alternatively under section 304 IPC

And

In Re : Bampada @ Bapada Sardar ..... petitioner

Mr. Somnath Banerjee

Mr. P Roy

..... for the petitioner

Mr M Sur

Mr. D Paramanick

..... for the State

It is contended petitioner was on bail but due to misunderstanding he was unable to appear before the court below and warrant of arrest was issued. Subsequently he has been re-arrested and is in custody for 161 days.

Learned lawyer for the State opposes the prayer for bail and submits petitioner had assaulted the victim resulting in her death. He had absconded for five years.

We have considered the materials on record. There are evidence implicating the petitioner in the crime. He had absconded for five years.

In view of the aforesaid materials particularly the conduct of the petitioner, we are not inclined to grant bail to the petitioner at this stage.

Accordingly, the prayer for bail is rejected.

Trial court is directed to conclude the trial at an early date preferably within one year from the next date fixed for recording evidence without giving unnecessary adjournments to either of the parties.

**(Ananya Bandyopadhyay, J.)**

**(Joymalya Bagchi, J.)**