

02.09.2022.
09.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 2954 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Belghoria P.S. Case No.114 of 2019 dated 20.02.2019 under Sections 448/326/307/302/120B of the Indian Penal Code and under Sections 25/27 of the Arms Act.

In the matter of : Biswanath Maity @ Tutan.
....Petitioner.

Mr. Arun Naskar.
...for the Petitioner.

Mr. Nguive Ahmed, Id. A.P.P.,
Ms. Trina Mitra.
...for the State.

Petitioner renews his prayer for bail. He submits there is slow progress in the trial of the case.

Learned Advocate for the State opposes the prayer for bail. She submits report with regard to the status of the proceeding.

We have considered the materials on record. Statements of eye witnesses recorded under Section 164 of the Code of Criminal Procedure implicates the petitioner as the principal assailant.

From the report filed before this Court, we note today i.e. 02.09.2022 is fixed for recording evidence. Effort to take out a bail application just prior to the date fixed for recording evidence is a well-known defence tactics to dilate the trial. We do not appreciate such exercise.

In view of the aforesaid circumstances and the materials on record, we are not inclined to grant bail to the petitioner.

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

Trial court is requested to expedite the trial and conclude the same at an early date without granting unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)