

28.09.2022
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rejected

C.R.M.(DB) No. 3269 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bhangore Police Station Case No. 215 dated 28.03.2016 under Sections 498A/302/34 of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act and subsequently added Sections 394/397/120B of the Indian Penal Code and Sections 25(1)(a)/27 of Arms Act.

And

In Re : Raja Sardar petitioner

Mr. Biplab Mitra

Ms. Trina Mitra

... for the petitioner

Ms. Faria Hossain

Mr. Anand Keshari

... for the State

Mr. Rabi Sankar Chattopadhyay

Mr. Sayan Chattopadhyay

Mr. Rounak Majumdera

... for de facto complainant

Learned Counsel appearing for the petitioner submits he is in custody for four years. It is also submitted there is no evidence collected against him.

Learned Counsel appearing for the State and defacto complainant opposes prayer for bail and submits trial is in progress.

We have considered materials on record. Trial is in progress. A number of witnesses have been examined. Alleged deficiencies in evidence adduced requires to be assessed in the backdrop of the entire evidence on record at the conclusion of trial.

In view of the aforesaid circumstances and gravity of the offence, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is, thus, rejected.

Trial court is directed to expedite the trial and conclude the same as expeditiously as possible preferably within one year from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)