

144. 18.10.2022
Ct.29 Tanmoy/TN

Rejected

CRM (DB) 3706 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with SPL Case No. 6 of 2022 arising out of Hanskhali Police Station Case No. 56 of 2019 dated 10.02.2019 under Sections 302/120(B) of the Indian Penal Code, 1860, read with Section 29(b) of the Arms Act, 1959.

And

In the matter of: - **Nirmal Ghosh**

...petitioner.

Mr. Shibaji Kumar Das,
Ms. Rupsa Sreemani

...for the petitioner.

Mr. Sudip Ghosh,
Mr. Apurba Kumar Datta

...for the State.

The petitioner renews the prayer for bail.

The earlier order of rejection is dated February 3, 2022.

There, trial was expedited with request that no unnecessary adjournment should be granted to any of the parties.

Learned Advocate appearing for the State submits that the trial is in progress. The prosecution did not seek any adjournment. It is the defence who obtained adjournments of the cross-examination of the prosecution witnesses on one pretext or the other. Finally, the trial Court fixed a schedule for cross-examination of the prosecution witnesses.

There is hardly any material change in circumstances subsequent to the earlier order of rejection dated February 3, 2022.

Trial is in progress.

In such circumstances, we are unable to grant bail to the petitioner.

The learned trial Court is requested to dispose of the trial as expeditiously as possible and not to grant any unnecessary adjournment to any of the parties.

Accordingly, the application for bail being CRM (DB) 3706 of 2022 is rejected.

(Debangsu Basak, J.)

(Ajay Kumar Gupta, J.)