

04.11.2022.
29.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 3860 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Jalangi P.S. Case No.254 of 2017 dated 24.03.2017 under Sections 341/325/326/308/506/34 of the Indian Penal Code and charge sheet submitted under Sections 302/34 of the Indian Penal Code.

In the matter of : Jamal Sarkar.

... Petitioner.

Ms. Minoti Gomes,
Ms. Chandrima Debnath
Mr. Jisan Hossain.

...for the Petitioner.

Mr. Saibal Bapuli, Id. A.P.P.,
Mr. Bibaswan Bhattacharya.

...for the State.

Petitioner is in custody for more than five years. He renews his prayer for bail.

Learned Advocate for the State opposes the prayer for bail. He submits delay in the trial is due to the abscondence of the co-accuseds.

We have considered the materials on record. Co-accuseds had absconded and were declared proclaimed offenders. As a result, there is delay in conducting the trial.

Keeping in mind the aforesaid circumstance and the evidence collected against the petitioner implicating him in the murder, we are not inclined to grant bail to the petitioner.

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

We, however, direct the trial court to conduct the trial as expeditiously as possible and conclude the same at an early

date without granting any unnecessary adjournments to either of the parties.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)