

05.12.2022
Sl. No.17
akd
[Rejected]

C. R. M. (DB) 4019 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 11.11.2022 in connection with Penro Police Station Case No. 120 of 2021 dated 31.10.2021 under Sections 302/201 of the Indian Penal Code.

And

In Re: **Debasis Nayek**

... .. Petitioner

Mr. Milon Mukherjee .. Sr. Advocate
Mr. Syed Shamsul Arefin

... .. for the petitioner

Mr. Noguive Ahmed .. Id. Addl. Public Prosecutor
Ms. Trina Mitra

... .. for the State

Petitioner renews his prayer for bail. It is submitted on behalf of the petitioner that there is delay in the matter before the trial court.

Report with regard to progress in the trial is placed on record. It appears from the report date has been fixed for recording of prosecution evidence in January, 2023.

We have considered the materials on record. Statement of eyewitness implicates the petitioner in the murder. Bail prayer of co-accuseds was turned down on merits. Under such circumstances, 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 conduct the trial with utmost expedition and conclude the same at an early date preferably within one year from the next date fixed for recording evidence without granting unnecessary adjournments to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

