

20.12.2022

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rejected

C.R.M. (DB) No. 4324 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Gangarampur Police Station Case No. 429 of 2019 dated 20.11.2019 under Sections 498A/307/34 of the Indian Penal Code adding Section 302 of the Indian Penal Code.

And
In Re : Somnath Kar petitioner

Md. Sabir Ahmed
Md. Abdur Rakib
Mr. Biswajit Sarkar
.... for the petitioner

Mr. Saswata Gopal Mukherji, learned PP
Mr. Aniket Mitra
..... for the State

Learned Counsel appearing for the petitioner submits he is in custody for over three years. It is also submitted that there is slow progress in the trial of the case.

Learned Counsel appearing for the State opposes the prayer for bail.

We have considered the materials on record. Dying declaration of the victim implicates the petitioner. Delay in the matter is due to lack of co-operation on behalf of the defence. Under such circumstances, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

Trial court is directed to consider the issue of framing of charge at the earliest and in the event charge is framed to take

the proceeding to its logical conclusion as expeditiously as possible without granting unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)