

22.12.2022
tkm/ct. 28
s.l. 42

C.R.M. (DB) 4529 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Kalyani Police Station Case No. 26 of 2018 dated 26.1.2018 under sections 302/201/34 of the IPC

And

In Re : Bappa Biswas @ Rocky petitioner

Mr. Moyukh Mukherjee

Mr. A Singh

Mr. Sarthak Mondal

..... for the petitioner

Mr. M Sur

Mr. M Mahata

..... for the State.

Petitioner is in custody for more than four years. He submits there is no direct evidence implicating him in the murder. He prays for bail.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record. One of the witnesses namely Gopal Mondal (PW4) had seen the petitioner, co-accused Rohit Mondal and the victim proceeding towards an agricultural field. Dead body of the victim was recovered from the said field.

Under such circumstances, we are not inclined to grant bail to the petitioner on merits.

Accordingly, the prayer for bail is rejected.

We take note of the fact that the petitioner is in custody for more than four years. Accordingly, we direct the trial court to conclude the trial within six months from the next date fixed before it for recording of evidence without granting unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)