

09.02.2023

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rejected

C.R.M.(DB) No. 548 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Tamluk Police Station Case No. 408 of 2016 dated 13.06.2016 under Sections 395/397/412 of the Indian Penal Code.

And

In Re : Chhaiful Gayen @ Saiful Gayen petitioner

Mr. Amal Krishna Samanta

... for the petitioner

Ms. Faria Hossain

Mr. Asif Dewan

... for the State

Learned Counsel for the petitioner submits he is in custody for more than six years. It is also submitted that there is delay in trial. He prays for bail.

Learned Counsel for the State opposes the prayer for bail and submits 22 out of 26 witnesses have already been examined. He has criminal antecedents.

We have considered the materials on record. There are ample evidence implicating the petitioner in the offence. He has criminal antecedents. Trial has progressed considerably.

Under such circumstances, we are not inclined to grant bail to him.

The application for bail is, thus, rejected.

Trial court is directed to expedite the trial and conclude the same as expeditiously as possible preferably within six

months from the next date fixed for recording evidence without granting unnecessary adjournments to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)