

14.03.2023
22
sdas
rejected

C.R.M. (DB) No. 801 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kalyani Police Station Case No. 94 of 2014 dated 22.02.2014 under Sections 302/34 of the Indian Penal Code read with Sections 25/27 of the Arms Act.

And

In Re : Bijoy Barui @ Bijay Barai @ Puchki @ Rajesh @ Rakesh petitioner

Mr. Sabyasachi Banerjee
Mr. Shibaji Kumar Das
Ms. Rupsa Sreemani
Mr. Debdattya Karmakar
... for the petitioner

Mr. Nequive Ahmed, learned APP
Ms. Ayantika Roy
... for the State

Learned Counsel for the petitioner renews his prayer for bail. In spite of direction given by this Court in CRM 2222 of 2020 trial has not concluded.

Learned Counsel for the State opposes the prayer for bail and submits delay in trial is due to abscondence of co-accuseds. Most of the witnesses have already been examined.

We have considered the materials on records. Delay is due to abscondence of the co-accuseds who have been subsequently arrested. Trial has considerably progressed. 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 expedite the trial and conclude the same as expeditiously as possible without granting unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)