

14.03.2023
tkm/ct 28
sl no.36

C.R.M. (DB) 925 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Asansol South P.S case no. 333 of 2020 dated 21.10.2020 under sections 302/201/120B of the IPC

And

In Re : Rahul Ankuria petitioner

Md. Bani Israil

..... for the petitioner

Mr. Sudip Ghosh

Mr. Bitasok Banerjee

..... for the State

Petitioner is in custody for 871 days. It is submitted there is no direct evidence connecting him with the murder. There is delay in trial. He prays for bail.

Learned lawyer for the State submits delay was due to pandemic conditions in 2020-21. Trial has already commenced and one witness has been partly examined.

We have considered the materials on record. Petitioner was last seen with the deceased. Pursuant to his leading statement recovery was made. Trial has commenced and one witness has been partly examined.

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

Accordingly, prayer for bail is rejected.

Trial court is directed to conclude the trial as expeditiously as possible preferably within one year from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)