

31.03.2023

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rejected

C.R.M. (DB) No. 1263 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Nabagram Police Station Case No. 150 of 2021 dated 14.06.2021 under Sections 448/302/34 of the Indian Penal Code.

And

In Re : Bapi Sk. @ Shis Mohammad Sk. @ Shis Mohammad petitioner

Mr. S. S. Roy
Mr. Debapriya Samanta
... for the petitioner

Ms. Zareen N. Khan
Mr. Arup Sarkar
... for the State

Learned Counsel for the petitioner submits four eye-witnesses have not attributed specific role to the petitioner. He prays for bail.

Learned Counsel for the State opposes the prayer for bail.

We have considered the materials on record. Case involves murder of a lady. Trial is in progress. There are materials connecting the petitioner with the offence. Piecemeal appreciation of the prosecution evidence is not warranted and the complicity of the petitioner requires to be assessed in the backdrop of the entire evidence on record. In view of the aforesaid facts and gravity of the offence, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is, thus, rejected.

Trial court is directed to expedite the trial and conclude the same at an early date without granting unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)