

31.03.2023
ct 28/tkm
sl no.58

C.R.M. (DB) 1284 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Raniganj P.S, case no. 285 of 2017 dated 11.8.2017 under sections 498A/302/120B/34 IPC and sections 3/4 DP Act

And

In Re : Sagir Shah @ Sagir Sah

..... petitioner

Mr. A K Datta

..... for the petitioner

Mr. S G Mukherjee, Id PP

Mr. P P Das

Mrs. Manasi Roy

..... for the State

Petitioner is in custody for more than five years. He submits there is delay in trial. He prays for bail.

Learned lawyer for the State opposes the bail prayer.

We have considered the materials on record. Due to abscondence of co-accused i.e. in-laws of the housewife trial could not proceed. Presently, one witness has been examined. Delay in the matter cannot be attributed to the prosecution. Vulnerable witness i.e son of the victim lady is yet to be examined.

Under such circumstances, we are not inclined to grant bail to the petitioner at this stage.

Accordingly, prayer for bail is rejected.

Trial court is requested to expedite the trial and conclude the same at an early date.

Parties shall co-operate with the trial court in that regard.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)