

04.04.2023
Sl. No.28
akd
[Rejected]

C. R. M. (DB) 1337 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 28.03.2023 in connection with Taherpur Police Station Case No.42 of 2021 dated 05.03.2021 under Sections 363/326/302/34 of the Indian Penal Code.

And

In Re: ***Debjit Das***

... .. Petitioner

Mr. Sagar Saha
Mr. Subir Debnath
Ms. Roma Roy

... .. for the petitioner

Mr. Binay Panda
Mr. Subham Bhakat

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for more than two years. It is further submitted petitioner was not driving the motorcycle which ran over the victim.

Learned Advocate for the State opposes the prayer for bail and submits petitioner had an affair with a girl who is the niece of the deceased. He had motive to commit the crime and instigated his friend to commit the murder.

We have considered the materials on record. Petitioner was the pillion rider and had instigated his friend to run over the deceased. He had motive to commit the crime. His bail prayer was rejected earlier on merits. Trial is in progress. Under such circumstances, 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 conduct the trial with utmost expedition and conclude the same at an early date preferably within two

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

Parties shall communicate a copy of this order to the trial court for due compliance.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)