

28.04.2023.
30.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 1725 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Gangarampur P. S. Case No.07 of 2018 dated 15.01.2018 under Section 302 of the Indian Penal Code read with Sections 498A/304B/201/34 of the Indian Penal Code.

In the matter of : Saidur @ Saidur Mondal @ Sahidur
Mondal @ Shahidur Mondal.
... Petitioner.

Mr. Sarthak Burman.
...for the Petitioner.

Mr. Saswata Gopal Mukherji, Id. P.P.,
Mr. Partha Pratim Das,
Mrs. Manasi Roy.
...for the State.

Petitioner is in custody for more than five years. He submits there is slow progress in the trial.

Learned Advocate for the State opposes the bail prayer. He submits that the Hon'ble Apex Court turned down his bail plea in January, 2023.

We have considered the materials on record including the report with regard to status of trial. There are materials connecting the petitioner with the murder. Trial is in progress. From the report it appears that delay is not wholly attributable to the prosecution.

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

Accordingly, the prayer for bail of the petitioner is rejected.

We request the trial court to fix schedules at regular intervals and 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 prosecution evidence without granting unnecessary adjournment to either of the parties.

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

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)