

08.05.2023

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rejected

C.R.M. (DB) No. 1832 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Dhantala Police Station Case No. 352 of 2015 dated 17.10.2015 under Sections 498A/304B/302 of the Indian Penal Code.

And

In Re : Pabitra Sarkar petitioner

Ms. Sananda Bhattacharyya
... for the petitioner

Mr. S. G. Mukherji, learned PP
Mr. Partha Pratim Das
Mrs. Manasi Roy
... for the State

Learned Counsel for the petitioner submits he is in custody for more than seven years. He prays for bail on the ground of delay.

Learned Counsel for the State opposes the prayer for bail and submits trial is at its matured stage. Only investigating officer is left to be examined.

We have considered the materials on record. Evidence of witnesses prima facie implicate the petitioner in the murder of his wife. Offence if proved it would attract life imprisonment. Hence, we are not inclined to grant bail to him.

The application for bail is, thus, rejected.

Trial court is directed to expedite the trial and conclude the same at an early date preferably within six months from the

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

Parties shall communicate the order to the trial court for necessary compliance.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)