

11.07.2023.
41.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 2346 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Pingla P. S. Case No.129 of 2021 dated 02.05.2021 under Sections 341/302/379/34 of the Indian Penal Code and charge sheet submitted under Sections 341/302/379/34 of the Indian Penal Code.

In the matter of : Sankar Habar.

... Petitioner.

Mr. Ayan Basu,
Mr. Sourav Bera,
Mr. Sumit Routh.

...for the Petitioner.

Mrs. Anasuya Sinha,
Mr. Pinak Kr. Mitra.

...for the State.

Petitioner is in custody for two years. He submits there is delay in trial. He also submits one Mithun Jana has been enlarged on bail. He prays for bail.

Learned Advocate for the State opposes the bail prayer. He submits statements of witnesses recorded under Section 164 of the Code of Criminal Procedure implicate the petitioner in the murder. His bail prayer was rejected earlier on merits.

We have considered the materials on record. There are materials implicating the petitioner in the crime. His bail prayer was rejected earlier. Statements of witnesses implicate him in the murder. His bail prayer was rejected earlier on merits.

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

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

Court below is directed to commit the case, in the event if not already done.

Parties shall communicate this order to the court below for necessary compliance.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)