

04.07.2023

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rejected

C.R.M.(DB) No. 2500 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Dhubulia Police Station Case No. 290 of 2019 dated 16.12.2019 under Sections 341/302/34 of the Indian Penal Code and Sections 25(1)(a)(b)/27 of the Arms Act.

And

In Re : Swadesh Biswas petitioner

Mr. Soubhik Mitter
Mr. Snehansu Majumder
....for the petitioner

Mr. Madhusudan Sur, learned APP
Mr. Dipankar Paramanick
..... for the State

Learned Counsel for the petitioner submits he is in custody for more than three years. There is delay in lodging FIR. He prays for bail.

Learned Counsel for the State opposes the prayer for bail and submits petitioner is the principal accused and had shot at the victim.

We have considered the materials on record. There are ample evidence connecting the petitioner with the murder. Trial has already commenced. Accordingly, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

Trial court is requested to expedite the trial 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.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)