

11.07.2023.
D/L 56
Ct.No.28
SKB
(Rejected)

C.R.M. (DB) 2584 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Sessions Case No.374(12) of 2021 arising out of Nakashipara P. S. Case No.433 of 2021 dated 25.08.2021 under Sections 302/201/34 of the Indian Penal Code.

In the matter of : Samrat Sk

.... Petitioner

Mrs. Karabi Roy

... for the Petitioner

Mr. Neguive Ahmed, Id. APP

Mr. Iqbal Kabir

... for the State

Petitioner is in custody for 681 days. Trial court is lying vacant. There is no possibility of trial commencing in the near future. He prays for bail.

Learned advocate for the State opposes the prayer for bail. Report submitted by Registrar (Judicial Service) does not give an impression that the trial court may be filled up in the near future.

We have considered the materials on record. Statements of witnesses show that the victim had been called by the petitioner from his house. On his leading statement, article belonging to the deceased was recovered. These materials corroborate the extra judicial confession made by the co-accused.

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.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)