

07.07.2023.
D/L 28
Ct.No.28
SKB
(Rejected)

C.R.M. (DB) 2691 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Noapara P. S. Case No.118 of 2022 dated 08.04.2022 under Section 302 of the Indian Penal Code (G.R. Case No.1014 of 2022).

In the matter of : Amar Lal

.... Petitioner

Mr. Niladri Sekhar Ghosh,
Ms. Sampurna Chatterjee,
Mr. Sourov Mondal

... for the Petitioner

Ms. Zareen N. Khan,
Md. Kutubuddin

... for the State

Learned advocate for the petitioner draws our attention to the deposition of the P.W.4, daughter of the victim to claim that the petitioner was not present at the time of occurrence.

Learned advocate for the State opposes the bail prayer. She submits the victim housewife was murdered at her matrimonial home.

We have considered the materials on record. Evidence of P.W.4 does not rule out the absence of the petitioner at the time when the victim died. We do not wish to make further observation as the trial is in progress and the said deposition needs to be assessed in its entirety against the backdrop of the other circumstances of the case.

Under such circumstances and in view of the gravity of offence, we are not inclined to grant bail to the petitioner.

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

Trial court is requested to expedite the trial and conclude the same at an early date preferably within a period of one year without granting unnecessary adjournment to either of the parties.

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)