

14.07.2023
Sl. No.33
akd
[Rejected]

C. R. M. (DB) 2796 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 04.07.2023 in connection with Barabani Police Station Case No.109 of 2019 dated 01.10.2019 under Sections 498A/326/307/34 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act and subsequently charge sheet submitted under Sections 498A/302/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

And

In Re: **Jayanta Ghosh**

... .. Petitioner

Ms. Sreyashee Biswas
Ms. Puja Goswami

... .. for the petitioner

Mr. Saswata Gopal Mukherjee .. Id. Public Prosecutor
Mr. Aniket Mitra
Ms. Jonaki Saha

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about three years and nine months. It is further submitted there is delay in trial. Accordingly, he renews his prayer for bail.

Learned Advocate for the State opposes the prayer for bail and submits victim made dying declaration implicating the petitioner in her murder.

We have considered the materials on record. Allegation against the petitioner is grave and there are evidence in support of such allegation. Trial has already commenced. Under such circumstances, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is thus rejected.

Trial court is directed to conduct the trial with utmost expedition by fixing schedules at regular intervals 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.

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)