

17.07.2023
Sl. No.63
akd
[Rejected]

C. R. M. (DB) 2830 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 03.07.2023 in connection with Pathar Pratima Police Station Case No.123 of 2019 dated 27.05.2019 under Section 302 of the Indian Penal Code.

And

In Re: ***Abhijit Das***

... .. Petitioner

Mr. Lakshiminath Bhattacharyya
... .. for the petitioner

Mr. Swapan Banerjee
Mr. Suman De
... .. for the State

Petitioner renews his prayer for bail. It is contended inspite of direction given by this court, trial did not proceed with expedition.

Learned Advocate for the State opposes the prayer for bail and submits petitioner resorted to dilatory tactics and prayed for deferment of cross-examination of prosecution witnesses. Two witnesses have been examined in chief.

We have considered the materials on record. Bail prayer of the petitioner was rejected earlier on merits. By order dated 17.06.2022 passed in CRM (DB) 1855 of 2022, trial court was directed to conclude the trial within a time frame. The order was not communicated to the said court. That apart, petitioner resorted to dilatory tactics and prayed for deferment of cross-examination of prosecution witnesses. Under such circumstances and in view of gravity of the offence, we are of the opinion this is not a fit case to grant bail to the petitioner at this stage.

The application for bail is thus rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

