

26.07.2023
Sl. No.17
akd
[Rejected]

C. R. M. (DB) 2931 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 19.07.2023 in connection with Sagar Police Station Case No.152 dated 05.10.2020 under Sections 498A/304B/302/34 of the Indian Penal Code. (G.R. Case No.1325 of 2020)

And

In Re: ***Sakila Bibi***

... .. Petitioner

Mr. Biplab Mitra
Ms. Trina Mitra

... .. for the petitioner

Mr. Saswata Gopal Mukherjee .. Id. Public Prosecutor
Mr. Parthapratim Das
Mrs. Manasi Roy

... .. for the State

It is submitted on behalf of the petitioner that she is in custody for more than two years. It is further submitted the oral dying declaration is improbable and not supported by medical personnel. It is also submitted there is inordinate delay in trial. Accordingly, she prays for bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. In addition to the oral dying declaration, statement of the son of the deceased also implicates the petitioner in the murder. Trial is in progress. Under such circumstances and in view of gravity of the offence, 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 proceed with the trial with utmost expedition by fixing schedules at short intervals and conclude the same at an early date preferably within one year 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.)