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rejected

C.R.M.(DB) No. 3021 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Hanskhali Police Station Case No. 180 of 2017 dated 09.06.2017 under Sections 302/201/34 of the Indian Penal Code and adding Section 120B of the Indian Penal Code.

In Re : Joynal Mondal

Mr. Prabir Majumder
Mr. Snehasu Majumder
....for the petitioner

Mr. Nguive Ahamed, learned APP
Ms. Amita Gaur
..... for the State

Learned Counsel for the petitioner submits he is in custody for more than six years. It is also submitted that there is delay in trial. He prays for bail.

Learned Counsel for the State opposes the prayer for bail and submits trial has substantially progressed. Eleven out of fourteen witnesses have been examined.

We have considered the materials on record. Allegations involve murder of the victim. Offences, if proved, would attract mandatory life imprisonment. Delay was due to systemic reasons and cannot be attributed to the prosecution. 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 expedite the trial 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.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)