

01.08.2023
ct 28/tkm
sl no.31

C.R.M. (DB) 3025 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Kotwali P.S, case no. 445 of 2018 dated 22.9.2018 under sections 498A/302/34 IPC

And

In Re : Nilima Nath & Anr. petitioners

Mr. S Das Mahapatra
Mr. Amanul Islam
Mr. Sourav Mukherjee
Ms. M Sinha

..... for the petitioners

Mr. S G Mukherjee, Id PP
Mr. P P Das
Mrs. Manasi Roy

..... for the State

Petitioners are in custody for four months. It is submitted there is delay in trial. They renew their bail prayer.

Learned lawyer for the State opposes the bail prayer and submits that the victim housewife made dying declaration implicating the petitioners.

We have considered the materials on records. There are ample materials implicating the petitioners in the murder. Trial has considerably progressed. Offences if proved, would attract mandatory life imprisonment.

Under such circumstances, we are not inclined to grant bail to the petitioners.

Accordingly, prayer for bail is rejected.

Trial court is requested to conclude the trial 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 this order to the trial court for necessary compliance.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)