

18.08.2023

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rejected

C.R.M.(DB) No. 3177 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Monteswar Police Station Case No. 256 of 2019 dated 08.09.2019 under Sections 449/302/120B/34 of the Indian Penal Code.

And

In Re : Atar Ali Sk. & Anr. petitioners

Mr. Atanu Biswas
Mr. Bikram Basak

....for the petitioners

Mr. Noguive Ahamed, learned APP
Ms. Trina Mitra

..... for the State

1.Report filed in Court be kept on record.

2.Learned Counsel for the petitioners submits they are in custody for more than three years. It is also submitted that there is delay in trial. They pray for bail.

3.Learned Counsel for the State opposes the prayer for bail.

4.We have perused the report. It appears from the report that delay is engineered by the defence on the ground of deferment of cross-examination of the witnesses. In view of the aforesaid fact and gravity of the offence, we are not inclined to grant bail to the petitioners.

5. The application for bail is, thus, rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)