

14.08.2023
Sl. No.12
akd
[Rejected]

C. R. M. (DB) 3187 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 20.07.2023 in connection with Hanskhali Police Station Case No.679 of 2021 dated 27.09.2021 under Sections 341/325/326/307/379/506 of the Indian Penal Code and Sections 25/27 of the Arms Act.

And

In Re: **Subrata Biswas @ Subrata Kumar Biswas**
... .. Petitioner

Mr. Tapash Kr. Mondal
... .. for the petitioner

Mr. Saibal Bapuli .. Id. Addl. Public Prosecutor
Mr. Arani Bhattacharya
... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for more than a year. It is further submitted there is delay in commitment of the case. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail and submits delay was due to abscondence of co-accused.
3. We have considered the materials on record. Victim suffered bullet injury. Statements of witnesses show petitioner fired at the victim. His bail prayer was rejected earlier on merits. Delay in the matter is due to abscondence of co-accused. Hence, we are not inclined to grant bail to the petitioner at this stage.
4. The application for bail is thus rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)

