

14.08.2023
Sl. No.13
akd
[Rejected]

C. R. M. (DB) 3188 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 08.08.2023 in connection with Bharatpur Police Station Case No.103 of 2022 dated 05.04.2022 under Sections 302/201/34 of the Indian Penal Code.

And

In Re: ***Kiyamat Sk.***

... .. Petitioner

Md. Hafiz Ali

... .. for the petitioner

Mr. Neguive Ahmed .. Id. Addl. Public Prosecutor
Ms. Amita Gaur

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about 495 days. It is further submitted there is delay in trial. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail and submits trial is in progress. Fifteen witnesses have been examined.
3. We have considered the materials on record. Allegations involve murder. Offences, if proved, would attract mandatory life imprisonment. Trial has substantially progressed and fifteen witnesses have already been examined. Under such circumstances and in view of gravity of the offence, 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.)

