

16.08.2023
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rejected

C.R.M.(DB) No. 3210 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bagdah Police Station Case No. 204 of 2022 dated 15.03.2022 under Section 302 of the Indian Penal Code.

And

In Re : Basudeb Ghosh @ Krishna petitioner

Mr. Malay Bhattacharyya
....for the petitioner

Mr. Swapan Banerjee
Mr. Suman De
..... for the State

Mr. Angshuman Chakraborty
..... for the de facto complainant

1.Learned Counsel for the petitioner submits that there is delay in trial. He renews his bail prayer.

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

3. We have considered the materials on record. Statements of witnesses implicate the petitioner in the crime. Delay was due to systematic reasons and cannot be attributed to the prosecution. Bail prayer of the petitioner was rejected earlier on merits. Under such circumstances, 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.)