

12.09.2023.
22.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 3258 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Lalgola P.S. Case No.349 of 2022 dated 29.09.2022 under Sections 306/34 of the Indian Penal Code and charge sheet submitted under Sections 420/306/120B of the Indian Penal Code.

In the matter of : **Dibakar Konai @ Bapi.**

... Petitioner.

Mr. Somen Bose,
Mr. S. C. Dhara.

...for the Petitioner.

Mr. Saibal Bapuli, Id. A.P.P.,
Mr. Bibaswan Bhattacharya.

...for the State.

1. Report is placed on record. Charge could not be framed due to non-co-operation of co-accused.
2. Learned Advocate for the petitioner prays for bail on the ground of delay.
3. From the report, it appears delay in consideration of charge was not due to prosecution, it was at the behest of an co-accused.
4. In view of the aforesaid fact and as the suicide note specifically discloses the involvement of the petitioner in the crime, we are not inclined to grant bail to the petitioner at this stage.
5. Accordingly, the prayer for bail of the petitioner is rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)