

21.09.2023

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rejected

C.R.M.(DB) No. 3581 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Khanakul Police Station Case No. 407 of 2021 dated 13.10.2021 under Sections 302/120B of the Indian Penal Code.

And

In Re : Sk. Alauddin @ Alauddin Mallick @ Ala petitioner

Mr. Niladri Sekhar Ghosh
Mr. Golam Mohiuddin
Md. Nazar Chowdhury
Ms. Puja Mndal
Ms. Sompurna Chatterjee
Mr. M. Salik

....for the petitioner

Mr. Ranabir Roy Chowdhury
Mr. Sandip Chakraborty

.... for the State

1. Learned Counsel for the petitioner submits he is in custody for more than two years. It is also submitted there is slow progress in trial. He renews his bail prayer.

2. Learned Counsel for the State submits report. Report shows five witnesses have been examined.

3. We have considered the materials on record. Bail prayer of the petitioner was rejected earlier on merits. Thereafter trial has proceeded with reasonable speed and five witnesses have already been examined. Offence, if proved, would attract mandatory life imprisonment. 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.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)