

15.09.2023

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sdas  
rejected

C.R.M.(DB) No. 3588 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Coke Oven Police Station Case No. 69 of 2018 dated 07.05.2018 under Sections 341/326/307/386/506/302/120B of the Indian Penal Code along with Sections 25(1B)(a)/27 of the Arms Act.

And

In Re : Dipak Kumar Show .... petitioner

Ms. Jeenia Rudra

....for the petitioner

Mr. Madhusudan Sur, learned APP

Mr. Manoranjan Mahata

..... for the State

1. Learned Counsel for the petitioner submits he is in custody for more than five years. It is also submitted that there is delay in trial.

2. Learned Counsel for the State opposes the prayer for bail and submits petitioner had fired at the victim resulting in gunshot injury. Trial is in progress.

3. We have considered the materials on record. Petitioner had fired at the victim resulting in his death. Offences, if proved, would attract mandatory life imprisonment. Keeping in mind the aforesaid facts, we are not inclined to grant bail to the petitioner.

4. The application for bail is, thus, rejected.

5. Petitioner has suffered protracted period of detention. Accordingly, trial court is directed to conduct the trial with utmost expedition by fixing schedules at short intervals and to conclude the same as expeditiously as possible preferably within two years from

the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.

**(Ajay Kumar Gupta, J.)**

**(Joymalya Bagchi, J.)**