

27.09.2023.
29.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 3752 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bishnupur P. S. Case No.484 of 2020 dated 17.09.2020 under Sections 302/34 of the Indian Penal Code.

In the matter of : **Rafikul Mondal @ Rafik.**

... Petitioner.

Mr. Soumya Nag.

...for the Petitioner.

Mrs. Anasuya Sinha,
Ms. Mayukhi Mitra.

...for the State.

1. Petitioner is in custody for over 1000 days. He submits there is no development as the Court is lying vacant.

2. Learned Advocate for the State opposes the bail prayer. She submits bail prayer of the petitioner was rejected earlier on merits.

3. We have considered the materials on record. Bail prayer of the petitioner had been rejected earlier on merits. Delay in the matter cannot be attributed to prosecution but due to systemic reasons.

4. Hence, we are not inclined to grant bail to the petitioner.

5. Accordingly, the prayer for bail of the petitioner is rejected.

6. We request the Judge-in-charge to record the evidence of the prosecution witnesses till the new incumbent joins in the post.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)