

05.10.2023
Sl. No.27
akd
[Rejected]

C. R. M. (DB) 3823 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 27.09.2023 in connection with Chhatna Police Station Case No.88 of 2022 dated 06.08.2022 under Sections 498A/302/304B/34 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act. (G.R. Case No.238 of 2022)

And

In Re: ***Ramen Mondal***

... .. Petitioner

Mr. Arup Kundu

... .. for the petitioner

Mr. Saswata Gopal Mukherji .. Id. Public Prosecutor

Ms. Faria Hossain

Mr. Anand Kesari

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about 407 days. Accordingly, he prays for bail on the ground of delay in trial.
2. Learned Advocate for the State opposes the prayer for bail and submits trial is at its fag-end. Date has been fixed for examination of accused under Section 313 of the Code of Criminal Procedure.
3. We have considered the materials on record. Petitioner is the husband of the victim lady. She committed suicide due to torture. Trial is at its fag-end. Under such circumstances, we are not inclined to grant bail to the petitioner at this stage.
4. The application for bail is thus rejected.
5. Trial court is directed to conclude the trial at an early date preferably within six months from the next date fixed for recording statement of the accused under Section 313 of the Code of Criminal Procedure without granting unnecessary adjournment to either of the parties.

6. Parties shall communicate a copy of this order to the trial court for due compliance.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)