

18.12.2023
tkm/ct 28
sl no. 69

C.R.M. (DB) 4005 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Bowbazar PS case no. 191 dated 19.5.2020 under sections 302/34 IPC

And

In Re : Sushanta Mondal

...petitioner

Mr. Apalok Basu
Mr. Nazir Ahmed
Mr. S Mridha

..... for the petitioner

Ms. Anasuya Sinha
Mr. Pinak Kr Mitra

..... for the State

1. Petitioner is in custody for about three years. He contends there is delay in trial. He prays for ail.

2. Learned lawyer for the State submits report. Report is placed on record.

3. We note trial is in progress. Though a vital witness i.e. CSW 6 has expired, statements of witnesses and CCTV footage show petitioner and others had dragged the victim inside the hospital. There he was brutally murdered. These incriminating circumstances involve petitioner in the crime. Offence if proved, would attract mandatory life imprisonment.

4. Under such circumstances, we are not inclined to grant bail to the petitioner.

5. Accordingly, prayer for bail is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)