

17.11.2023
Sl. No.19
akd
[Rejected]

C. R. M. (DB) 4006 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 06.10.2023 in connection with Serampore Police Station Case No.393 of 2020 dated 01.12.2020 under Section 302 of the Indian Penal Code. (G.R. Case No.1836 of 2020)

And

In Re: ***Biju Das***

... .. Petitioner

Mr. Debarshi Brahma

... .. for the petitioner

Mr. Madhusudan Sur .. Id. Addl. Public Prosecutor

Mr. Manoranjan Mahata

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about 1039 days. It is further submitted there is delay in trial. Accordingly, he prays for bail.
2. Learned Additional Public Prosecutor opposes the prayer for bail and submits most of the prosecution witnesses have been examined. Cross-examination of the Investigating officer is fixed on the next date.
3. We have considered the materials on record. There are materials implicating the petitioner in the crime. Offences, if proved, would attract mandatory life imprisonment. Prosecution evidence is almost complete. 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 ensure that the Investigating officer is cross-examined at the earliest and trial is concluded as expeditiously as possible preferably within six months from the next date fixed for

recording evidence 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.)