

16.10.2023
tkm/ct 28
sl no. 64

C.R.M. (DB) 4041 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Sundarban Costal PS case no. 260 of 2019 dated 4.9.2019 under sections 448/302 IPC

And

In Re : Pradip Mandal @ Bachu Mondal @ Pradip Mondal @ Bachu
...petitioner

Mr. Suman De

..... for the petitioner

Mr. R D Nandy
Ms. Sonali Das

..... for the State

1. Petitioner submits he is in custody for more than four years. He submits there is delay in trial. He renews his bail prayer.
2. Learned lawyer for the State opposes the bail prayer. He contends delay is due to vacancy in the trial court.
3. We have considered the materials on record. Statement of witness implicated the petitioner in the murder. Offences if proved, would attract mandatory life imprisonment. Delay cannot be attributed to the prosecution.
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.)