

16.10.2023
tkm/ct 28
sl no. 73

C.R.M. (DB) 4053 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Gobardanga PS case no. 79 of 2022 dated 28.3.2022 under section 302 IPC

And

In Re : Anirban Nag

...petitioner

Mr. D Deb

Mr. Pabitra Biswas

..... for the petitioner

Mr. R D Nandy

Ms. Iqbal Kabir

..... for the State

1. Petitioner submits he is in custody for over 500 days. None of the witnesses have implicated him in the murder. He prays for bail.
2. Learned lawyer for the State opposes the bail prayer. He contends a vital eye-witness is yet to be examined. The said eye-witness has implicated the petitioner in the murder.
3. We have considered the materials on record. Though the petitioner has suffered incarceration for a protracted period, a vital eye-witness is yet to be examined. Offences 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.
6. We request the trial court to examine the remaining witnesses by fixing schedules at short intervals and to conclude the same within 18 months from the next date fixed for recording evidence without granting unnecessary adjournments to either of the parties.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)