

16.11.2023
Sl. No.30
akd
[Rejected]

C. R. M. (DB) 4161 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 13.10.2023 in connection with Santipur Police Station Case No.505 of 2021 dated 17.07.2021 under Sections 448/325/326/307/120B/302 of the Indian Penal Code. (G.R. Case No.1177 of 2021)

And

In Re: **Sanjit Biswas @ Avijit Biswas**

... .. Petitioner

Mr. Khalid Hasan

... .. for the petitioner

Ms. Zareen N. Khan

Mr. Arup Sarkar

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for more than two years. It is further submitted there is slow progress in trial. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail.
3. We have considered the materials on record. Victim had suffered homicidal death. Petitioner is the paramour of the wife of the victim. He was last seen with the victim and the offending weapon was also recovered on his leading statement. His bail prayer was rejected earlier on merits. Since then there is progress in trial. Offences, if proved, would attract mandatory life imprisonment. 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 as expeditiously as possible 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.)