

20.12.2023.
41.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 4336 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Salanpur P. S. Case No.262 of 2021 dated 25.10.2021 under Sections 302/34 of the Indian Penal Code.

In the matter of : **Lal Bihari Ray @ Bihari Lal Roy.**
... Petitioner.

Mr. Moyukh Mukherjee,
Mr. Abhijit Singh,
Mr. S. Mondal.

...for the Petitioner.

Ms. Faria Hossain,
Mr. Anand Keshari.

...for the State.

1. Bail prayer of the petitioner was rejected earlier.

He contends there is no progress in the matter since then.

Accordingly, he prays for bail.

2. Report is placed on record.

3. We have considered the materials on record including the report. From the report it appears delay in the matter was due to non-appearance of co-accused before Magistrate which hindered commitment. Hence, delay in the matter cannot be attributed to the prosecution. There are ample materials against the petitioner in the crime.

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

5. Accordingly, the prayer for bail of the petitioner is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)