

17.11.2023
tkm/ct 28
sl no. 42

C.R.M. (DB) 4392 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Penro PS case no. 120 of 2021 dated 30.10.2021 under sections 302/201 IPC

And

In Re : Debashis Nayak @ Debasish Nayek @ Debashis Nayek @
Debasish Naiek ...petitioner

Mr. Sourav Chattejee

Mr. P Nag

Mr. A Tiwari

Mr. S Adhikary

..... for the petitioner

Mr. Swapan Banerjee

Mr. Suman De

..... for the State

1. Petitioner contends inspite of direction given by this court there is poor progress in trial. Accordingly, he renews his prayers for bail.

2. Learned lawyer for the State opposes the bail prayer. He submits though direction to conclude trial within a year was passed in December 2022 the same was communicated to the trial court in September 2023.

3. We have considered the materials on record. There are materials connecting the petitioner with the offence of murder. Offences if proved, would attract mandatory life imprisonment. Petitioner showed indifference to the direction given by this court with regard to expeditious conclusion of trial and communicated the said direction after a lapse of nine months.

4. In view of such circumstances, we are not inclined to grant bail to the petitioner on the ground of delay in trial.

5. Accordingly his prayer for bail is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)