

30.01.2023
tkm/ct 28
sl no.32

C.R.M. (DB) 4635 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Chakdaha Police Station Case No. 263 of 2018 dated 10.8.2018 under Sections 302/34 of the IPC

And

In Re : Rijabu Mondal @ Reja @ Rejabul Mondal petitioner

Mr. S Bhattacharyya

..... for the petitioner

Mr. M Sur

Mr. D Paramanik

..... for the State

Petitioner is in custody for more than four years. He submits there is delay in trial. He prays for bail.

Report is placed on record. From the report it appears that two vital witnesses namely wife and brother of the deceased are yet to be examined. Date had been fixed for examination of the said witnesses, before the trial court. However, due to non-availability of the judge, witnesses could not be examined. Next date has been fixed on 13.2.2023.

In view of the gravity of the offence involving murder and as vital witnesses, that is relations of the deceased are to be examined shortly, we are not inclined to grant bail to the petitioner at this stage.

Accordingly, prayer for bail is rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)