

16.06.2023
SL No.7
Court No.1
(gc)
(Rejected)

***Circuit Bench of Calcutta High Court
At Jalpaiguri***

CRM (DB) 323 of 2023

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Sessions Case No.40(35/22) of 2022, arising out of Pailbazar Police Station Case No.15 of 2022 dated 21.06.2022 under Section 302 with adding Sections 379/411/34 of the Indian Penal Code.

And

In the matter of : **Smt. Mira Rai**

- Petitioner.

Mr. Pratap Khati,
Ms. Bandana Rai,
Mr. Ranjan Sharma

... For the Petitioner.

Mr. Aditi Shankar Chakraborty, Ld. A.P.P.,
Mr. Kallol Nag

... For the State.

The learned Counsel for the petitioner submits that the petitioner is in custody since 21st June, 2022 and there is no incriminating material against the petitioner.

The learned Counsel for the State in opposing the prayer for bail has submitted that out of 15 witnesses 12 witnesses have already been examined and the trial has progressed substantially.

In view of the substantial progress in the trial and that only three witnesses have remained to be examined, we are not inclined to grant bail to the petitioner.

However, we request the learned Trial Judge to dispose of the matter as expeditiously as possible.

Accordingly, the application for bail is rejected and disposed of.

All parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

(Raja Basu Chowdhury, J.)

(Soumen Sen, J.)