

16.02.2024.
39.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 394 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Beldanga P.S. Case No.100 of 2019 dated 07.03.2019 under Sections 302/201/34 of the Indian Penal Code.

In the matter of : **Amzad Sk @ Amjad Sk.**

... Petitioner.

Ms. Chandrima Debnath.

...for the Petitioner.

Mr. Joydeep Roy, Id. Jr. Govt. Adv.,
Ms. Ratna Ghosh.

...for the State.

1. Petitioner contends co-accused are on bail. He is in custody for more than one year and four months. Accordingly, he prays for bail.

2. Learned Advocate for the State opposes the bail prayer. He submits eyewitness stated petitioner and others had assaulted the victim. As a result, he died.

3. We have considered the materials on record. Evidence of Sonali Khatun (PW 2), an eyewitness shows petitioner Amzad Sk. and Raja had assaulted her father. As a result, he died. The aforesaid evidence was not on record when co-accused viz., Anisur was enlarged on bail.

4. In the light of the aforesaid incriminating evidence implicating the petitioner in the murder, we are not inclined to grant bail to the petitioner.

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

6. Trial court is requested to conclude the trial as expeditiously as possible preferably within one year from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.

7. Parties shall co-operate with the trial court and communicate this order for due compliance.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)