

04.03.2024
30
sdas
rejected

C.R.M.(DB) No. 643 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Lalgola Police Station Case No. 222 of 2022 dated 05.07.2022 under Sections 498A/302/201/34 of the Indian Penal Code.

And

In Re : Md. Mosaraf Ali @ Musaraf Ali petitioner

Mr. Arnab Chatterjee
Ms. Dhanasree Biswas
Ms. Poulami Bose

....for the petitioner

Mr. Antarikhya Basu

... for the State

1. Learned Counsel for the petitioner submits he is in custody for one year and seven months. It is further submitted there is delay in trial. He renews his bail prayer.

2. Learned Counsels for the State opposes the bail prayer and submits petitioner had murdered his wife.

3. We have considered the materials on record. Statement of son of the couple implicates the petitioner in the murder of his wife. Vulnerable witness is yet to be examined. Offences, even if proved, would attract mandatory life imprisonment. In view of gravity of the offence and incriminating materials on record, we are not inclined to grant bail to the petitioner at this stage.

4. Application for bail is, thus, rejected.

5. We request the trial court to expedite the trial by fixing schedules at short intervals and conclude the same at an early date without granting unnecessary adjournment to either of the parties. We also request the trial court to examine the vital eye-witness at the earliest.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)