

12.03.2024

29

Saswata

Rejected

C.R.M. (DB) No. 693 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Shyampur P.S. Case No. 210/2021 dated 02.06.2021 under Sections 302/34 of the Indian Penal Code.

And

In Re : **Sital manna @ Shital Manna**

..... petitioner

Mr. Dilip Kumar Maiti

Mr. Uttam Kumar Kamila

.....for the petitioner

Ms. Zareen N. Khan

Ms. Pritha Paul

.....for State

1. Petitioner is in custody for more than 2 years.
2. He submits that there is slow progress in trial.
3. Petitioner renews the prayer for bail.
4. Learned lawyer for the State opposes the prayer for bail.
5. He submits report with regard to the status of the proceeding.
6. We have considered the materials on record. Allegations involve a charge of murder and if proved, would attract mandatory life imprisonment.
7. Charges were framed on 03.02.2023. Thereafter, 4 witnesses have been examined. On 11.10.2023, 20.12.2023 and 22.02.2024 trial could not be progressed as the defence did not cross examine the witnesses.
8. This shows lack of cooperation on the part of defence to proceed with the trial.

9. Having considered the materials on record and in view of the gravity of offence and conduct of the defense the prayer for bail is rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)