

08.03.2024
Sl. No.45
akd
[Rejected]

C. R. M. (DB) 765 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 29.02.2024 in connection with Sankrail Police Station FIR Case No.697 of 2021 dated 11.06.2021 under Sections 302/34 of the Indian Penal Code.

And

In Re: ***Lakshmi Kanta Sar***

... .. Petitioner

Ms. Devipriya Mitra

... .. for the petitioner

Mr. Soumik Ganguli

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about two years and nine months. It is further submitted petitioner is not the principal accused. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail.
3. We have considered the evidence of the wife of the deceased (PW 1) who is an eyewitness. She stated petitioner instigated other accused who committed the murder. Trial is in progress. Under such circumstances, we are not inclined to grant bail to the petitioner at this stage.
4. The application for bail is thus rejected.
5. Trial court is directed to expedite the trial and conclude the same at an early date.
6. Parties shall communicate a copy of this order to the trial court for due compliance.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

