

02.04.2024
Sl. No.40
akd
[Rejected]

C. R. M. (DB) 873 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 12.03.2024 in connection with Sankrail Police Station Case No.743 of 2017 dated 24.09.2017 under Sections 498A/325/201/34 of the Indian Penal Code and subsequently charge sheet submitted under Sections 498A/302/201/34 of the Indian Penal Code. (G.R. Case No.5635 of 2017)

And

In Re: ***Subhojit Hazra @ Kartick Hazra @ Subhajit***
... .. Petitioner

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

... .. for the petitioner

Mr. Suman De

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for more than five years. It is further submitted there is slow progress in trial. Accordingly, he renews his prayer for bail.
2. Report is placed on record.
3. Learned Advocate for the State opposes the prayer for bail and submits bail prayer of the petitioner was rejected earlier on merits. Thirteen witnesses have been examined till date.
4. We have considered the materials on record. Petitioner is the husband of deceased housewife. Deceased went missing from her matrimonial home. Thereafter her dead body was recovered. Petitioner also absconded about the same time. There are other incriminating circumstances involving the petitioner in the murder. Offences, if proved, would attract mandatory life imprisonment. Trial has progressed and prosecution assures this court that trial shall be concluded within one year subject to cooperation by the defence and

other systemic reasons. Under such circumstances, we are not inclined to grant bail to the petitioner at this stage.

5. The application for bail is thus rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)