

21.03.2024.
35.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 901 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection Jagaddal P.S. Case No.916 of 2019 dated 26.10.2019 under Sections 302/201/34 of the Indian Penal Code and Sections 25/27 of the Arms Act and charge sheet submitted under Sections 302/201/120B/34 of the Indian Penal Code.

In the matter of : **Suraj Tiwari @ Suraj Tewary.**
... Petitioner.

Md. Khairul,
Sk. Shabibunullah.
...for the Petitioner.

Ms. Sreyashee Biswas.
...for the State

Mr. Ranjit Kr. Ghosh.
...for the de-facto complainant.

1. Petitioner submits he was on bail earlier. Due to non-compliance of conditions of bail, his bail came to be cancelled in 2022. He submits there is slow progress in trial. Accordingly, he prays for bail.

2. Learned Advocate for the State opposes the bail prayer. He submits petitioner has criminal antecedents. He has been falsely implicated in a murder case while on bail.

3. Learned Advocate for the de-facto complainant also opposes the bail prayer.

4. We have considered the materials on record. There are ample materials implicating the petitioner in the crime. Trial has commenced and one witness has been examined in part. Timeline proposed by this Court in CRM (DB) 4227 of 2023 to

conclude the trial has not expired as yet. Petitioner has been implicated in a murder case while he was on bail.

5. In view of the aforesaid circumstances and gravity of the offence, we are not inclined to grant bail to the petitioner at this stage.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)