

16.04.2024
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rejected

C.R.M.(DB) No. 1152 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Madhyamgram Police Station Case No. 479 of 2015 dated 20.08.2015 under Sections 302/201 of the Indian Penal Code.

And

In Re : Mokbul Ali @ Md. Manirul Islam @ Mokbul Ali Baidya @ Babai Mondal petitioner

Mr. Ashok Kumar Chowdhury
....for the petitioner

Mr. Avishek Sinha
Ms. Subhasree Patel
... for the State

1. Learned Counsel for the petitioner submits he is in custody for more than six years. It is also submitted there is delay in trial. He renews his bail prayer.

2. Learned Counsel for the State opposes the bail prayer and submits 19 out of 23 witnesses have been examined.

3. We have considered the materials on record. There are ample evidence against the petitioner. Offences if proved would attract mandatory life imprisonment. 19 out of 23 witnesses have been examined. Accordingly, we are not inclined to grant bail to the petitioner at this stage.

4. Application for bail is, thus, rejected.

5. We request the learned Judge-in-charge to record the evidence of the remaining witnesses till the Presiding Officer joins the court.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)