

07.05.2024
Sl. No.17
akd
[Rejected]

C. R. M. (DB) 1337 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 19.04.2024 in connection with Kotwali Police Station Case No.201 of 2019 dated 06.04.2019 under Sections 326/307/34 of the Indian Penal Code and subsequently charge sheet was framed under Sections 120B/302/34 of the Indian Penal Code.

And

In Re: ***Kheru Mondal & Anr.***

... .. Petitioners

Mr. Santanu Talukdar
Ms. Roma Roy

... .. for the petitioners

Ms. Baisali Basu
Mr. Santanu Deb Roy

... .. for the State

1. It is submitted on behalf of the petitioners that they are in custody for more than five years. It is further submitted there is inordinate delay in trial. Accordingly, they pray for bail.
2. Learned Advocate for the State opposes the prayer for bail.
3. We have considered the materials on record. Trial is at a matured stage. 26 out of 28 witnesses have been examined. Next schedule for examination of remaining witnesses has been fixed on 16.05.2024. Offences, if proved, would attract mandatory life imprisonment. Under such circumstances, we are not inclined to grant bail to the petitioners 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 preferably within six months from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.

6. Parties shall communicate a copy of this order to the trial court for due compliance.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)