

30.04.2024

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rejected

C.R.M.(DB) No. 1345 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Sankrail Police Station Case No. 811 of 2020 dated 11.09.2020 under Sections 302/34 of the Indian Penal Code.

And

In Re : Rajesh Sha @ Rajesh Shaw petitioner

Mr. R. Roy

Mr. Sugata Mukherjee

....for the petitioner

Ms. Amita Gaur

Ms. Trina Mitra

... for the State

1. Learned Counsel for the petitioner submits he is in custody for three and half years. Co-accused are on bail. Accordingly, he prays for bail.

2. Learned Counsel for the State opposes the bail prayer.

3. We have considered the materials on record. Petitioner is the principal offender. He had run over the victim resulting in his death. He does not stand on the same footing with the co-accused who have been enlarged on bail. Bail prayer of the petitioner was turned down earlier on merits. Accordingly, we are not inclined to grant bail to the petitioner.

4. Application for bail is, thus, rejected.

5. Trial court is directed to expedite the trial and conclude the same at an early date without granting unnecessary adjournment to either of the parties.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)