

20.06.2024
Item no. 25.
Court No.28.
AB
(Rejected)

CRM (DB) 1650 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Krishnagar Kotwali P. S. Case No.576 of 2022 dated 7.6.2022 under Sections 302 of the Indian Penal Code

And

In the matter of : Biswanath Dey @ Danny

.....Petitioner.

Mr. Prabir Majumdar,
Mr. S. Majumdarfor the Petitioner.

Mr. Sandip Chakraborty,
Mr. Rahul Gangulyfor the State.

The petitioner renews his prayer for bail which was rejected by a Coordinate Bench on 21.12.2023 in CRM (DB) 4728 of 2023.

The petitioner says that he is in custody for more than two years. The evidence that has been recorded so far does not incriminate him. He should be immediately released on bail.

Learned Advocate for the State points out that prosecution witness nos.20 and 21, out of 28 witnesses, are scheduled to be examined on July 4, 2024. We have also seen the material in the case diary, which are prima facie against the petitioner. The deposition of the son of the petitioner as recorded by the learned Trial Court has also been placed before us. The same also goes against the petitioner prima facie.

In view of the aforesaid, we are not inclined to allow this application for bail, at this stage.

The prayer for bail is, accordingly, rejected.

CRM (DB) 1650 of 2024 is dismissed.

However, since the petitioner is in custody for a considerable period of time, we request the learned Trial Court to expedite the trial to the fullest and conclude the same within four months from the next date fixed for recording of evidence, without granting any unnecessary adjournment to either of the parties.

The parties shall communicate this order to the learned Trial Court.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)