

50. 12.08.2024
Court
No.6 (Tanmoy)

Rejected

CRM (DB) 2529 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973/ Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with Haridevpur Police Station Case No. 58/2022, dated 09.3.2022.

And

In the matter of: - **Kundan Kumar**

...petitioner.

Mr. Arindam Jana
Ms. Oishy Mukhopadhyay

...for the petitioner.

Mr. Antarikhya Basu
Mr. Arka Chakraborty

...for the State.

1. Learned lawyer for the petitioner contends there is no direct evidence connecting him with the offence of robbery with murder. He is in custody for over two years and five months. Only four out 31 witnesses have been examined. He prays for bail.
2. Learned lawyer for the State opposes the bail prayer.
3. We have considered the materials on record. Statements of witnesses show petitioner and others were seen entering the residence of the victim where he was murdered. He was identified by witnesses during T.I. Parade examination. Other incriminating materials were recovered at the behest of the petitioner and co-accused. Offences, if proved, shall attract mandatory life imprisonment. Trial is in progress.
4. Under such circumstances, we are not inclined to grant bail to the petitioner.
5. Accordingly, prayer for bail is rejected.

6. We request the Trial Court to fix schedules of 3/4 dates at short intervals and conclude the trial at an early date preferably within two years from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.

(Apurba Sinha Ray, J.)

(Joymalya Bagchi, J.)