

12.11.2024

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rejected

C.R.M.(DB) No. 3355 of 2024

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita in connection with Shyampur Police Station Case No. 275 of 2021 dated 10.07.2021 under Sections 302/34 of the Indian Penal Code.

And

In Re : Shibaprasad Kuila @ Shib Prasad Kaillya petitioner

Ms. Devi Priya Mitra

....for the petitioner

Ms. Rituparna De Ghose

Mr. Atanu Ghosh

... for the State

1. Learned Counsel for the petitioner submits he is in custody for more than three years. He prays for bail on the ground of delay.

2. Learned Counsel for the State opposes the bail prayer and submits there are eye-witnesses implicating petitioner in the murder. Trial is in progress.

3. We have considered the materials on record. Eye-witnesses implicate the petitioner in the murder. Offences, if proved, would attract mandatory life imprisonment. Trial is in progress. Five witnesses have already been examined. Under such circumstances, we are not inclined to grant bail to the petitioner at this stage.

4. Application for bail is, thus, rejected.

5. We request the trial court to expedite the trial and conclude the same at an early date preferably within one year from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)