

02.02.2024
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rejected

C.R.M.(DB) No. 4421 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Katwa Police Station Case No. 487 of 2019 dated 26.09.2019 under Sections 498A/304B/302/34 of the Indian Penal Code.

And

In Re : Netai Das @ Nitai Das & Ors. petitioners

Mr. Navanil De

Ms. Monami Mukherjee

....for the petitioners

Mr. Debasish Roy, learned PP

Ms. Rituparna De

... for the State

1. Heard the learned Counsels for the parties.

2. We have considered the materials on record.

Evidence of the doctor (PW 3) who recorded dying declaration of victim and staff nurse has been done. PW 3, victim stated dying declaration was recorded by him. Victim put her left thumb impression on the document. In view of the aforesaid incriminating evidence on record we are not inclined to grant bail to the petitioner.

3. Application for bail is, thus, rejected.

4. We are informed nine more witnesses are to be examined. We direct trial court to conclude trial with expedition 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.

5. Parties shall co-operate with the trial and communicate this order to the trial court for due compliance.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)