

15.01.2024.
54.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 6 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Gangarampur P.S. Case No.160 of 2018 dated 28.06.2018 under Sections 302/120B/506 of the Indian Penal Code read with Sections 25/27 of the Arms Act and charge sheet submitted under Sections 302/120B/506 of the Indian Penal Code read with Sections 25/27 of the Arms Act and supplementary charge sheet filed under Sections 25(1)(a)/25(1B)(a)/27(1) and 35 of the Arms Act.

In the matter of : **Gobinda Dutta.**

... Petitioner.

Ms. Jeenia Rudra.

...for the Petitioner.

Mr. P. K. Datta, Id. A.P.P.,
Mr. S. Kundu.

...for the State.

1. Petitioner contends there is inordinate delay in trial. He is in custody for more than five years. Accordingly, he prays for bail.

2. Learned Advocate for the State opposes the bail prayer. He submits report.

3. We have considered the materials on record. There is eyewitness to the incident. Petitioner had shot at the victim. Offence, if proved, would attract mandatory life imprisonment. Vulnerable witness is yet to be examined.

4. Under such circumstances, we are not inclined to grant bail to the petitioner at this stage.

5. Accordingly, the prayer for bail of petitioner is rejected.

6. We request the trial court to conduct the trial with utmost expedition by fixing short intervals and conclude

trial positively within two years from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.

7. Parties shall communicate this order to the trial court for due compliance.

(Partha Sarathi Sen, J.)

(Joymalya Bagchi, J.)