

49.
04-03-2025
(ct. no.29)
S. De

CRM (DB) 204 of 2025

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure as amended under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

And

In the matter of : Suman Biswas.Petitioner.

Mr. Sananda Bhattacharyya,for the Petitioner.

Mr. Avishek Sinha,
Mr. Dipankar Mahato,for the State.

Dictated by Arijit Banerjee, J.

1. The petitioner renews his prayer for bail which was earlier rejected on merits on December 21, 2023, in CRM (DB) 4608 of 2023. He says that he is in custody for about 2 years. He has been falsely implicated. There is no direct evidence of the allegation of murder that has been leveled against him. On the ground of delay in progress of the trial, he renews his prayer for bail.
2. Opposing the prayer, learned State counsel draws our attention to the material in the case diary. It appears that the victim and the petitioner used to share a room as tenants. We have seen the deposition of the landlord recorded before the learned Trial Court. We see that the belt with which allegedly, the petitioner strangled the victim was recovered on the basis of leading statement made by the petitioner. The post mortem report, prima facie, supports the prosecution case.

3. Therefore, there is sufficient incriminating material, at least prima facie, against the petitioner. The State says that 4 witnesses have already been examined. 10 more witnesses are proposed to be examined. The next date fixed before the learned Trial Court is March 29, 2025.
4. We see that the trial is progressing. However, speed of the trial should be more. In view of sufficient incriminating material against the petitioner, we are not inclined to entertain his prayer for bail, at this stage. If convicted, he will have to serve mandatory life sentence.
5. CRM (DB) 204 of 2025 is dismissed.
6. However, considering the petitioner's period of detention, we direct the learned Trial Court to make all possible efforts to expedite the trial and conclude the same as soon as possible, without granting unnecessary adjournments to either of the parties and, if necessary, by fixing frequent schedules of two/three dates each, for examination of witnesses.
7. Let this order be communicated by the parties to the learned Trial Court.
8. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Prasenjit Biswas, J.)

(Arijit Banerjee, J.)