

25.02.2025

**DL-68**

**Court No.26**

**CRM (DB) 1525 of 2024**

*(Bail **Rejected**)*

(AD)

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with **Balurghat** Police Station Case No.**538** of **2019** dated **28.10.2019** under Sections **341/448/323/302/506/34** of the Indian Penal Code (Corresponding to G.R. Case No.1134 of 2019) and charge has been submitted on 31.01.2020 being Charge Sheet No.23 of 2020 under Sections **341/448/323/302/506/34** of the Indian Penal Code, now pending before the Learned Additional District & Sessions Judge, 1<sup>st</sup> Court, Dakshin Dinajpur at Balurghat.

-And-

**In the matter of : Dipak Barman & Anr.**

**... ...Petitioners**

*Mr. Kaushik Choudhury, Advocate*

*... ... For the Petitioners*

*Mr. Sandip Chakraborty, Advocate*

*Mr. Ivan Roy, Advocate*

*... ...For the State*

1. Petitioner is standing trial for murder.
2. Petitioner is in custody in excess of three years five months.
3. Trial is in progress.
4. Out of 20 prosecution witnesses, 15 stands examined at the trial.
5. Next schedule for examining the prosecution witnesses stands fixed by the learned Trial Judge.
6. Given the materials on record, the period of detention and the fact that the trial is nearing its end, we are not inclined to

invoke Article 21 of the Constitution of India in favour of the petitioner.

7. In such circumstances, we are not inclined to grant bail to the petitioner.
8. Accordingly, the prayer for bail of the petitioner is **rejected**.
9. **CRM (DB) 1525 of 2024** is **dismissed**.

**(Debangsu Basak, J.)**

**(Md. Shabbar Rashidi, J.)**