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23.07.2025
Ct.No.34
b.das
Rejected

C.R.M. (M) 926 of 2025

In Re : An application for bail under Section 483 of BNSS, 2023 filed in connection with Duttapukur Police Station Case No.627 of 2022 dated 27.06.2022 under Sections 302/34 of the Indian Penal Code read with Section 25/27 of the Arms Act.

And

In Re : **Tushar Kanti Mazumder @ Tushar Kanti Majumder @ Bishu** ... Petitioner.

Mr. Angshuman Chakraborty
Mr. S. S. Saha ... for the petitioner.

Ms. Z. N. Khan
Mr. Santanu Talukdar ... for the State.

Mr. Amajit De ...for the de facto complainant.

Report submitted by the State is taken on record.

Heard learned counsels for the parties.

Learned counsel for the petitioner submits that the petitioner is in custody for about 3 years. Despite direction of this court for concluding trial within one year from the next date of hearing fixed before the learned trial Court, 7 out of 28 witnesses have been examined so far. The petitioner prays for bail.

Opposing the prayer, learned counsel for the State submits that delay in trial was due to several adjournments taken by the defence counsel before the learned trial Court. The prosecution proposes to examine 15 to 17 more witnesses.

I have considered the material on record. Bail prayer of the petitioner was turned down by this Court earlier considering the material on record. The petitioner is in custody for about 3 years. Offence, if proved, shall attract mandatory life imprisonment.

Considering the material on record as well as the fact that the delay in trial can be attributed to both the prosecution as well as the petitioner, prayer for bail is rejected at this stage.

The learned trial Court is directed to expedite the trial without granting any unnecessary adjournment to either of the parties.

The application for bail is thus disposed of.

Case diary be returned.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)