

13.02.2025

SL-61

(Item No.109 of the Daily
List Dt.12.02.2025)

(Bail Rejected)
(AD)

CRM (DB) 3813 of 2024

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of Bharatiya Nagarik Suraksha Sanhita 2023 in connection with Sessions Case No.160 of 2019 corresponding to **Kanksa** Police Station Case No.**140** of **2019** dated **06.05.2019** under Sections **498A/302** of the Indian Penal Code, 1860 and **3/4** of the D.P Act pending before the Learned Additional Sessions Judge, 1st Court, Durgapur, Paschim Bardhaman.

-And-

In the matter of : Prasanta Bagdi @ Prasanta Kr. Bagdi
... ...Petitioner

Mr. Apurba Kumar Dutta, Advocate
Mr. Kuntal Banerjee, Advocate

... ... For the Petitioner

Mr. Bitashok Banerjee, Advocate
Mr. Atanu Ghosh, Advocate

... ...For the State

1. Petitioner prays for grant of bail.
2. Learned Advocate appearing for the petitioner submits that, the petitioner is in custody in excess of six years one month. Out of fifteen prosecution witnesses, only one was examined by the prosecution. There is no possibility of the trial ending any time soon.
3. Learned Advocate appearing for the State submits that, the petitioner stands implicated in a murder. He points out that, although, the charges were framed in 2019 and the prosecution witness no.1 was examined in 2022, on at least ten days when both the Court and the prosecution witness

were present, defence did not cross-examine the prosecution witness.

4. Records made available in the present application suggest that, the petitioner before us was instrumental in delaying in the disposal of the trial.
5. In view of the complicity of the petitioner in the incident, the gravity of the offence and his conduct at the trial, we are not inclined to grant bail to the petitioner.
6. Accordingly, the prayer for bail of the petitioner is **rejected**.
7. **CRM (DB) 3813 of 2024** is **dismissed**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)