

8.
14-02-2025
(ct. no.29)
debajyoti
(rejected)

CRM (DB) 06 of 2025

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of the Bhartiya Nagarik Suraksha Sanhita in connection with Domkal Police Station Case No.83 of 2021 dated 28-02-2021 under Sections 363/365/302/201/34 of the Indian Penal Code.

- A n d -

In the matter of: Bhabesh Chandra Mandal @ Kalu Mondal
.... Petitioner.

Mr. Partha Sarathi Mondal,
Mr. Kingsuk Mondal

... For the Petitioner.

Mr. Avishek Sinha,
Mr. Abhinaba Mukherjee

... For the State.

Mr. Soumik Ganguly,
Mr. Debasis Banerjea

... For the defacto complainant.

Dictated by Arijit Banerjee, J.

1. The petitioner renews his prayer for bail which was rejected on four occasions earlier, i.e., June 10, 2021, March 14, 2022, June 15, 2022 and November 28, 2023. All the rejections were on merits.

2. The petitioner complains of delay in progress of trial. He says that he is in custody for 3 years 7 months.

3. We see that 14 out of 19 charge sheet named witnesses have already been examined. It appears that the former Special Public Prosecutor, who was in charge of the case, was absent on a couple of occasions. Therefore, the

Special Public Prosecutor has been changed. Today is the date for recording of further evidence.

4. We have seen the material and evidence on record. There is very strong evidence against this petitioner. He is alleged to have committed murder. The victim's daughter's evidence is on record. If convicted, the petitioner has to serve mandatory life sentence.

5. In view of the aforesaid and seeing that it cannot be said that there has been no progress in the trial at all and also that the trial is likely to conclude in foreseeable future, we are not inclined to allow the petitioner's prayer for bail at this stage.

6. The application for bail is, thus, **dismissed**.

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

8. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)