

**In The High Court at Calcutta
In the Circuit Bench at Jalpaiguri**

CRM (DB) 722 of 2024

03.01.2025
Sws.M/ct. 1
sl no. 72

In Re: An application for bail under Section 483 of the B.N.S.S.,
2023 arising out of Bhaktinagar Police Station Case No.
1063 of 2020 dated 08.12.2020 under section 498A,
307,302 of IPC to GR Case No. 5351/2020.

And

In the matter of: Suman Sarkar

..... petitioner

Rejected

Ms. Chanda Jha

..... for the petitioner

Mr. Nilay Chakraborty

Mr. Kallol Nag

..... for the State

The petitioner is in custody for more than four years. It is submitted on behalf of the petitioner that despite earlier rejections of bail applications, there has been no progress in the trial.

The State opposes the prayer for bail and contends that the petitioner is the husband of the victim and had been implicated in a dying declaration.

We have considered the materials on record. The dying declaration of the victim housewife squarely implicates the petitioner. The delay in the trial is not due to the prosecution and is on the ground of vacancy of the particular Court.

From the materials on record, the incriminating evidence against the petitioner and the gravity of the offence, we are not inclined to grant bail to the petitioner.

The prayer for bail stands rejected.

We direct the District Judge, Jalpaiguri to take immediate steps for assignment of the above case, Case no.1063 of 2020 dated 08.12.2020 before an appropriate Bench having jurisdiction and further direct expeditious disposal of the same.

(Ravi Krishan Kapur, J.)

(Uday Kumar, J.)