

CRM 9205 of 2020

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Pragati Maidan PS case no. 323/2019 dated 31.12.2018** under Sections **302/201** of the IPC.

And

In the matter of: **Md. Parwez Khan**

....Petitioner.

Mr. Abhisek Banerjee

...for the Petitioner.

Mr. N. Ahmed

Ms. Amita Gaur

... for State

The petitioner renews the prayer for bail. He submits that the materials on record are contrary to one another with regard to his presence at the place of occurrence.

Learned lawyer for the State submits that the petitioner had an illicit affair with the wife of the deceased. Owing to such motive, he took the deceased away and murdered him.

We have considered the materials on record. There are statements implicating the petitioner. Trial is in progress and one of the prosecution witnesses has been examined examination in chief. Cross-examination of the witnesses is awaited.

In view of the gravity of offence and as independent witnesses are yet to be examined, we are of the opinion that this is not a fit case to grant bail to the petitioner.

The application for bail is, thus, rejected.

Trial Court is directed to expedite the trial and conclude the cross-examination of the witness as expeditiously as possible preferably within a period of 6 months from the next date fixed for recording of evidence without granting unnecessary adjournments to either of the parties.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)