

38 01.12.2020
rkd/ Ct. No.03
sd

C.R.M. 9471 of 2020
(Through Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Belghoria** P.S. Case No. **420 of 2018** dated **17/06/2018** under Sections **302/323/34/120B** of the Indian Penal Code and under Sections **25/27** of the Arms Act.

And

In the matter of: - Saddam Hussain

....petitioner.

Mr. K. Bagchi

...for the petitioner.

Mr. S. Ghosh,
Mr. B. Banerjee

...for the State.

Petitioner is in custody for 899 days. It is further submitted that he is not the principal accused and there is little possibility of the trial concluding in the near future.

Learned counsel appearing on behalf of the State opposes the prayer for bail and submits that petitioner was the member of a gang, one of whom assaulted the victim resulting in his death.

Having considered the materials on record and bearing in mind the prima facie involvement of the petitioner who shared common intention to murder the victim and as trial is in progress, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

Trial court is directed to expedite the trial and conclude the same at an early date without granting unnecessary adjournment to either of the parties.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)