

14.01.2021
Court No.28
rpan / 22

C.R.M. 256 of 2021
(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure in connection with Jorasanko P.S. Case No.498 of 2017 dated 24.10.2017 under Sections 302/34/394 of the Indian Penal Code.

And

In Re : **Md. Ashar Firdousi @ Md. Ashar**
...Petitioner.

Mr. Debarshi Brahma,
Mr. Sagnik Mukherjee
....for the petitioner.

Mr. Rudradipta Nandy
....for the State.

The learned advocate for the petitioner submits that the petitioner is in custody for 1146 days and although the charge has been framed, there is no progress in the trial. Additionally, the learned advocate submits that on any stringent condition the petitioner may be released on bail.

Mr. Nandy, learned advocate for the State submits that two witnesses have already been examined and it is because of the adjournments sought for by the defence, the present case is being delayed. Drawing the attention of this Court, the learned advocate submits that there are overwhelming statements leading to the recoveries and all efforts would be taken by the prosecution to complete the trial within a reasonable period of time.

We have taken into account the materials appearing in the case diary and appreciated the stage of the case. Having regard

to the nature and gravity of the offence and since the crucial witnesses are yet to be examined, we are not inclined to release the petitioner on bail at this stage. As such, the prayer for bail of the petitioner is rejected.

The application for bail, being CRM No.256 of 2021 is disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)