

24.03.2021

CRM 1209 of 2021

Court No. 28
Item No. 112
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(REJECTED)

In Re: An application for **Bail** under Section **439** of the Code of Criminal Procedure filed on 29.01.2021 in connection with Farakka Police Station Case No. 148 of 2019 dated 08.04.2019 under Sections 448/226/307/302 of the Indian Penal Code. (G.R. Case No. 649 of 2019)

and

In the matter of: **Najir Momin @ Nazir Momin**

..... Petitioner

Mr. Kushal Kumar Mukherjee, Advocate

Mr. Diptangshu Basu, Advocate

Ms. Pranidhi Singh, Advocate

.....for the Petitioner

Mr. Neaguive Ahmed, Advocate

Ms. Amita Gaur, Advocate

..... for the State

The petitioner has filed the instant application for bail in connection with Farakka Police Station Case No. 148 of 2019 dated 08.04.2019 under Sections 448/226/307/302 of the Indian Penal Code.

Learned Advocate for the petitioner submits that the petitioner is in custody since April 9, 2019 and considering the slow progress of the trial, the petitioner may be released on bail on any stringent condition.

Mr. Ahmed, learned Advocate for the State opposes the prayer for bail and submits that out of 21 witnesses 7 have already been examined and the earlier direction of this Court could not be adhered to as in the meantime pandemic interrupted whole of the schedule before the trial Courts.

We have perused the materials-on-record and having regard to the heinousness of the allegations, we are not inclined to release the petitioner on bail.

As such, the prayer for bail is **rejected**.

The application being **CRM 1209 of 2021** accordingly **dismissed**.

However, having regard to the fact that the petitioner is in custody for more than one year eleven months and the next schedule, as has been submitted, is fixed on May 13, 2021, we request the trial Court to fix the schedule of three days on each and every month so that the trial can be taken to its logical conclusion within a reasonable period of time.

(Harish Tandon, J.)

(Tirthankar Ghosh, J.)