

24.09.2021

Court No.28
Item No.6
(REJECTED)

Ab

CRM 2354 of 2021
(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed on 01.03.2021 in connection with Santipur Police Station Case No. 279 of 2015 dated 01.09.2015 under Sections 302/34 of the Indian Penal Code (G.R. Case No. 1791 of 2015);

And

In the matter of : **Arsad Sk. @ Seikh @ Mondal.**

...Petitioner.

Ms. Sananda Bhattacharya.

...For the Petitioner

**Mr. Madhusudan Sur,
Mr. Dipankar Pramanick.**

... For the State.

The petitioner has filed the instant application for bail under Section 439 of the Code of Criminal Procedure after being arrested in connection with Santipur Police Station Case No. 279 of 2015 dated 01.09.2015 under Sections 302/34 of the Indian Penal Code.

This is fourth round of litigation before this Court. The petitioner has renewed the prayer for bail simplicitor on the ground that he is in custody for more than six years in connection with the aforementioned case.

It appears from the record that the victim was last seen together with the company of the petitioner on the previous evening and offending weapon was recovered from his possession on his leading statement.

In view of the above, we do not think that it is a fit case where the petitioner should be enlarged on bail.

Furthermore, the trial has seen a substantial progress. All the witnesses except the Investigating Officer have deposed. The next

date is fixed on 24th November 2021.

The prosecution is directed to bring the Investigating Officer on the said date so fixed and his evidence shall be recorded on the said date.

Learned Advocate for the petitioner assures this Court that they will cross-examine the Investigating Officer after recording his statement as Examination in-Chief and shall not seek any adjournment.

After discharge of the said last witness, the trial court is requested to fix a date immediately thereafter and endeavour shall be shown to bring the case to its logical conclusion within two months therefrom.

The application for bail being CRM 2354 of 2021 is **rejected**.

(Harish Tandon, J)

(Bibek Chaudhuri, J.)