

32.
12-08-2021
(ct. no.32)
debajyoti

CRM 2491 of 2021

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Burrabazar Police Station Case No.434 of 2014 dated 11-07-2014 under Sections 302/34 of the Indian Penal Code read with Sections 25/27 of the Arms Act.

- A n d -

In the matter of : Md. Shah Alam

.... Petitioner.

Mr. Soubhik Mitter,
Ms. Sreyashee Biswas,
Ms. Puja Goswami

... For the Petitioner.

Mr. Madhusudan Sur, learned APP,
Mr. Dipankar Paramanick

... For the State.

Mr. Musharrof Hossain,
Mr. Satadru Lahiri,
Mr. Safdar Azam

... For the defacto complainant.

The petitioner says that he has been in custody for a little more than seven years. Charge is under Sections 302/34 of the Indian Penal Code read with certain provisions of the Arms Act.

We have seen the material in the Case Diary. There are statements of several witnesses recorded under Sections 161/164 of the Code of Criminal Procedure. There are eyewitnesses. The petitioner has been identified in the TI Parade.

Learned State advocate says that the petitioner has dubious antecedents. Several cases of murder are pending against him. He is a person from Bihar. He was also arrested from Bihar ten days after the incident took place.

In view of the material in the Case Diary and what we have recorded above, we are not inclined to allow the petitioner's prayer. However, we are told that 26 out of 49 witnesses have already been fully examined. The examination of the 27th witness is going on. The State says that the State will examine ten more witnesses.

We request the learned trial Court to expedite the trial to the extent the business of the court may permit and bring the same to its logical conclusion as soon as possible.

The application for bail being CRM 2491 of 2021 is, thus, **dismissed**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(**Suvra Ghosh, J.)**

(**Arijit Banerjee, J.)**