35 19.07.2021
Kole Ct. No.28
Rejected

C.R.M. 3041 of 2021

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **26/03/2021** in connection with **Nadial Police Station Case No. 37 of 2017** dated **19/03/2017** under Sections **364/302/201/120B** of the Indian Penal Code.

And

In the matter of: - **Safiuddin Molla**

....petitioner.

Mr. Sumanta Chakraborty
Mr. A. Ghosh

...for the petitioner.

Mr. Neguive Ahmed,
Mr. A. Hosssain,
Mrs. Amita Gour

...for the State.

The Advocate on Record of the petitioner undertakes to affirm and stamp the petition/application as per the Rules within four weeks from date. Subject to such undertaking the application is taken up for hearing.

Learned Counsel for the petitioner submits that the petitioner has been languishing in custody nearly for more than four years. Though the trial has been commenced in this case, but there has been no substantial progress to the extent, as desired. Thus, expressing dissatisfaction with the progress of the trial, learned Advocate for the petitioner has filed this bail application.

Learned Advocate for the State raises objection against the prayer for bail. It is submitted that out of 40 charge-sheeted witnesses, there has already been examination of 19 charge-sheeted witnesses, and few are still left to be examined.

Having seen the tangible progress of the trial, and bearing in mind the seriousness of the offences, we are not inclined to grant bail at this state ignoring the possibility of his abscondence.

Accordingly the prayer for bail is considered and rejected.

CRM No. 3041 of 2021 is, thus, dismissed.

(Subhasis Dasgupta, J.) **(Harish Tandon, J.)**