

26.07.2021
tkm/ct 32
sl no. 18

C.R.M. 3385 of 2021
(via video conference)

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Lalgola P.S case no. 569 of 2019 dated 21.8.2019 under sections 448/326/302/307/34 of the IPC
And

In Re : Mokkel @ Makkel Sk.

..... petitioner

Mr. Arup Kr. Mondal

..... for the petitioner

Mr. N Ahmed
Md. Anwar Hossain
Ms. Amita Gaur

..... for the State

The petitioner is one of five accused persons. The charge is of murder of two persons. The petitioner had approached this court thrice before for bail. Every time he failed. His third application was dismissed as recently as on March 8, 2021.

Learned advocate for the petitioner submits that his client has been in custody for about 699 days. The trial has commenced. Some of the accused persons are absconding. In spite of direction of this court, trial court has not proceeded with the matter, if necessary, by splitting the trial.

We have considered the material in the case diary. In view of the various statements recorded under section 164 of the Cr.P.C and also in view of the fact that the petitioner's prayer has been rejected thrice by this court, we are not inclined to allow the application.

Accordingly, the prayer for bail is rejected.

However, we request the learned CJM to expedite the matter and take necessary steps so that the trial can commence at least against the petitioner at the earliest

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)