

CRM 4500 of 2021

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **KLC Police Station** Case No. **92 of 2018** dated **17.05.2018** under Sections **302/201/34** of the Indian Penal Code.

- A n d -

In the matter of : Navneet Kumar Thakur

.... Petitioner.

Mr. M. Mahmud,
Mr. M. Salam Mollah
Mr. Rabindra Kumar Singh,

... For the Petitioner.

Mr. N. Ahmed,
Mr. A. Hossain,
Mr. T. Mitra,

... For the State.

The petitioner renews his prayer for bail which was rejected earlier by a Coordinate Bench by an order dated November 5, 2019 passed in CRM 9938 of 2019.

The charge is under Sections 302/201/34 of the Indian Penal Code. The petitioner says that he has been in custody for about 3 years and 3 months.

While dismissing the petitioner's earlier application, the Coordinate Bench had directed the trial court to conclude the trial as expeditiously as possible and preferably within one year from the next date fixed before it for recording evidence without granting adjournments to either of the parties. The petitioner says that in spite of such direction, nothing has progressed significantly.

We must be conscious of the fact that due to the pandemic, the functioning of all the courts across the country

has been seriously hampered. The charge against the petitioner is serious. We have seen the material in the case diary including the statements of witnesses and the post-mortem report. Prima facie, we find involvement of the petitioner in the commission of the alleged offence. Further, he was arrested from Noida and his address is shown in the petition as Jharkhand. There is possibility of the petitioner absconding if enlarged on bail. On an overall assessment of the material on record and the facts and circumstances of the case, we are of the view that it will not be appropriate to enlarge the petitioner on bail at this stage.

However, since the petitioner has been in custody for quite long period of time, we request the learned Trial Court to expedite the trial to the extent possible and conclude the same as soon as the business of the Court may permit and preferably within 18 months from date.

Accordingly, the application for bail being CRM 4500 of 2021 is dismissed.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)