

31.08.2021
Item no.64.
Court No.32.
AB
(Rejected)

(Via Video Conference)

CRM No. 4556 of 2021

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 6.7.2021 in connection with Dhubulia Police Station Case No.196 of 2019 Dated 31.7.2019 under Sections 341/326/307/302/120B/34 of the Indian Penal Code

And

In the matter of : Secender Sk.

.....Petitioner.

Mr. K. K. Mukherjeefor the Petitioner.

Mr. Nequive Ahmed, Ld. APP,
Md. Anowar Hossain,
Ms. Amita Gaurfor the State.

The petitioner is one of the several accused persons.

The charge is of murder.

The petitioner says that he is in custody for about two years. Charge has not been framed as yet.

We have seen the material on record. The victim lady recorded a dying declaration. She specifically named the petitioner as the person, who set her on fire. Twice before, Coordinate Benches of this Court rejected the petitioner's prayer for bail.

Considering the nature and gravity of the alleged offence and the material in the case diary and also in view of the

two rejections of the petitioner's prayer for bail, we are not inclined to allow the petitioner's prayer, at this stage.

C.R.M. No.4556 of 2021 is, accordingly, dismissed.

However, in view of the petitioner's detention for a considerable period of time, we request the learned Trial Court to expedite the trial and bring the same to its logical conclusion as soon as possible and preferably within a year from date.

The petitioner says that the learned Trial Court is lying vacant for quite sometime, which is impeding the progress of the trial. The petitioner, if so advised, may apply to the learned District Judge for appropriate directions including transfer of the case to some other Court.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)