

CRM 4626 of 2021

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Jalangi Police Station Case No.832 of 2016 dated 19-08-2016 under Sections 302/34 of the Indian Penal Code.

- A n d -

In the matter of : Hasibul Mondal alias Hasimul Mondal
.... Petitioner.

Mr. Diptendu Banerjee,
Mrs. Sinthia Bala

... For the Petitioner.

Mr. Saibal Bapuli, learned APP,
Mr. Rudradipta Nandy,
Mr. Arani Bhattacharya

... For the State.

The petitioner says that he has been in custody for more than five years. There is no likelihood of the trial coming to an early conclusion. He says that he has been falsely implicated. He had no intention of killing anybody.

We have seen the material on record. The statements of witnesses including eyewitnesses *prima facie* implicate the petitioner as the prime assailant. The trial is going on. We are told that sixteen witnesses have already been examined.

In view of the nature and gravity of the alleged offence and the *prima facie* incriminating material against the petitioner, we are not inclined to allow the petitioner's prayer for bail, at this stage.

The application for bail being CRM 4626 of 2021 is, thus, **dismissed**.

However, we appreciate that the petitioner has been in custody for a very long period of time. Hence, we request

the learned trial Court to make all endeavours to expedite the trial and bring the same to its logical conclusion as soon as possible and preferably within a period of one year from date.

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

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)