

73. 30.09.2021
Ct.32
Tanmoy
Rejected

C.R.M. 4723 of 2021

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **14/07/2021** arising out of **Nowda Police Station Case No. 46 of 2017** dated **04/03/2017** under Sections **302/307/34** of the Indian Penal Code.

And

In the matter of: - **Aminul Mondal @ Ashique**

...petitioner.

Mr. Sabir Ahmed,
Mr. M.A. Naskar,
Mr. Anisur Rahaman

...for the petitioner.

Mr. Neguive Ahmed, Ld. A.P.P.,
Ms. Amita Gaur,

...for the State.

The petitioner says that he has been falsely implicated. There is hardly any incriminating material against him. He is in custody for almost four years. The charge is of murder.

We have seen the statement of the victim's son, who claims to have been present at the place of occurrence. We are also told that only two witnesses remain to be examined.

Given the nature and gravity of the alleged offence and also in view of the fact that twice before, the petitioner's prayer for bail was rejected by this Court, we are not inclined to entertain the petitioner's prayer for bail.

Accordingly, the application for bail being C.R.M. 4723 of 2021 is **dismissed**.

However, in view of the protracted detention of the petitioner, we request the learned trial Court to expedite the trial

and conclude the same at the earliest, preferably within six months from the next date of hearing.

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

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)