

Sl. 11
03.11.2021
Court No.8
SD/GB

CRM 6965 of 2021
(Via Video Conference)

In re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 filed on 25.10.2021 in connection with Farakka Police Station Case No.148 of 2019 dated 08.4.2019 under Sections 448/326/307/302 of the Indian Penal Code.

- A n d -

In the matter of : Najir Momin @ Nazir Momin

.... Petitioner.

Mr. Niladri Sekhar Ghosh

... for the Petitioner.

Mr. N. Ahmad
Md. Anwar Hossain
Ms. F.A. Begg

... for the State.

An application for bail is made on the ground that the petitioner is in custody for more than two and half years. It is further submitted that in an order dated March 24, 2021 in CRM 1209 of 2021 a coordinate Bench of this Court has refused bail while recording that 7 out of 21 witnesses have already examined in the trial.

Counsel for the State admits that there has been no serious progress of the trial and the next date is fixed on November 23, 2021.

This Court notes that this is the fourth application for bail made by the petitioner and the trial is going on at a painfully slow pace.

It is, therefore, directed that the learned Additional District Judge, 1st Court, Jangipur, Murshidabad shall complete and conclude the trial mandatorily and positively within a period of five months from date of communication of this order.

In default whereof, the petitioner shall be entitled to apply for bail.

Accordingly, prayer for bail is rejected at this stage.

The Registry as well as the petitioner shall communicate a copy of this order to the Court below.

A copy of the instruction of the SI of Police, Farakka Police Station dated October 25, 2021 addressed to the Public Prosecutor be kept with the record.

(Kesang Doma Bhutia, J.)

(Rajasekhar Mantha, J.)