

CRM No.7777 of 2021

Via video conference

20.12.21

(S.R.)

Sl.17

Ct.32

In re: An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **Habra** Police Station Case No.912 of 2017 dated 30/09/2017 under Sections 302/201/34 of the Indian Penal Code;

And

In re: Kamal Das

... petitioner.

Mr. Susnigdho Bhattacharyya

Mr. Sreejeet Basu Roy

... for the petitioner.

Mr. Madhu Sudan Sur, APP

Mr. Monoranjan Mahata

...for the State.

Mr. Bhattacharyya, learned advocate appearing for the petitioner submits that all the co-accused persons have already been enlarged on bail. The petitioner, however, is languishing in custody for more than four years and there is also no possibility towards early conclusion of the trial. In the said conspectus, the petitioner may be enlarged on bail on any stringent condition.

Mr. Sur, learned Additional Public Prosecutor appearing for the State, upon instruction, submits that out of eleven witnesses ten have already been examined and next date has been fixed on 5th January, 2021.

Having heard the learned advocates and considering the materials in the case diary, the gravity of the offence, its ramification, the nature of accusations and the extent of complicity of the petitioner, we are not inclined to exercise any discretion in his favour. As such, his prayer for bail is refused at this stage.

However, this Court directs the learned court below to conclude the trial within a period of three months from date without granting any unnecessary adjournment to either of the parties.

The application for bail being CRM No.7777 of 2021 is, accordingly, disposed of.

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

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)