

04.08.2021

Court No.30
rpan/ **10**

CRM 8694 of 2020

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Ekbalpore P.S. Case No. 78 of 2012 dated 11.03.2012 under Sections 302/34 of the Indian Penal Code;

And

In re: **Md Zahid**

- Petitioner

Mr. Sachetan Ghosh (through v.c.)
... for the Petitioner.

Mr. Neguive Ahmed,
Md. Anwar Hossain,
Ms. Amita Gaur
... for the State.

Prayer for bail is on the ground of long incarceration.

Learned advocate for the petitioner submits that he has been falsely implicated in this case and is languishing in custody, but the trial has not proceeded to desirable extent causing prejudice to the petitioner.

Learned advocate for the State raises objection against the prayer for bail. It is submitted that the trial is on the verge of conclusion.

A report is produced before the Court showing that cross-examination of the Investigating Officer as P.W.27 is going on, meaning thereby no other witness is still left to be examined for and on behalf of the prosecution. It is also revealed that in course of trial, defence took innumerable adjournments resulting in protraction of the trial.

Having considered the submissions of both sides in context with materials placed in the record and bearing in mind that trial is on the verge of conclusion, we are not inclined to grant bail to the petitioner.

Prayer for bail is considered and dismissed.

We, however, request the trial court to conclude the trial within a reasonable period of time.

The application for bail, being CRM No.8694 of 2020, is, thus, rejected.

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

(Subhasis Dasgupta, J.)

(Tapabrata Chakraborty, J.)