

21.12.2021
SL No.32
Court No.1
PJ/SK

***Circuit Bench of Calcutta High Court
At Jalpaiguri***

**CRM 1138 of 2021
(Via video Conference)**

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Falakata Police Station Case No. 910 of 2015 dated 12.11.2015 under Sections 302/201 of the Indian Penal Code.

And

In the matter of : **Mojrul Haque @ Majrul Haque**
- Petitioner.

Mr. Arnab Saha

... For the Petitioner.

Mr. Kallol Acharja,
Mr. Sourav Ganguly

... For the State.

The prayer for bail has been renewed after it was rejected on April 27, 2021.

Mr. Saha, learned counsel appearing on behalf of the petitioner submits that no significant progress has been made in the trial although there is a direction to that effect in the order dated April 27, 2021.

The trial is in progress. Out of 24 witnesses, 10 witnesses have already been examined.

Keeping in mind that the petitioner is in custody for almost 6 years 11 months, we request the learned Trial Judge to expedite the trial and to conclude it within a reasonable time without granting any unnecessary adjournment to either of the parties

unless it is unavoidable. In the event, the trial is prolonged due to the reasons attributable to the petitioner, the petitioner may be entitled to renew his prayer for bail.

We have been informed that the learned Trial Judge has fixed January 10, 2022 for recording of prosecution witnesses. The prosecution shall be duty bound to produce the witnesses on each and every date fixed for the trial so as to enable the learned Trial Judge to dispose of the matter as expeditiously as possible.

Accordingly, C.R.M. 1138 of 2021 stands rejected.

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

(Biswajit Basu, J.)

(Soumen Sen, J.)