

12.04.2022

Sl. 43

Court No.29
suvayan
(rejected)

C.R.M. (DB) 803 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 21.03.2022 in connection with **Malda** P.S. case No. **220/2018** dated **31/05/2018** under Sections **489(B)/489(C)/120B** of the Indian Penal Code, 1860 read with Sections **25(1B)(a)(1-AA)/35** of the Arms Act, 1959.

And

In the matter of: Akram Alam @ Md. Akram Alam

....petitioner.

Mr. Dwaipayan Biswas

...for the petitioner.

Mr. Sudip Ghosh

Mr. Bitasok Banerjee

...for the State.

Report as called for by the order dated March 28, 2022 filed in Court be taken on record.

It appears from such report that the evidence of the prosecution is now being recorded. The trial is in progress. The next dates are April 26, 2022, May 6, 2022 and May 7, 2022.

In the facts of the present case, it would be appropriate to request the learned Trial Judge to invoke the provisions of Section 309 of the Criminal Procedure Code. The learned Trial Court is requested to dispose of the trial as expeditiously as possible and not to grant any unnecessary adjournments to any of the parties.

Considering the gravity of the offence and the involvement of the petitioner therein and considering the fact that there is hardly any material change in circumstances subsequent to the earlier order of rejection, we are unable to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is rejected.

C.R.M. (DB) 803 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)