

19.07.2022
Sl. No.6
akd
[Rejected]

C. R. M. (DB) 909 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 31.03.2022 in connection with Harishchandrapur Police Station Case No. 877 of 2020 dated 07.12.2020 under Sections 341/326/307/302 of the Indian Penal Code.

And

In Re: ***Sajjad Ali @ Sajjak Ali***

... .. Petitioner

Ms. Minoti Gomes

... .. for the petitioner

Mr. Saibal Bapuli .. Id. Addl. Public Prosecutor

Mr. Bibaswan Bhattacharya

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about two years.

Report is placed on record. It appears from the report nine witnesses have already been examined. Prayer was made on behalf of the defence to defer the cross-examination of PWs.7, 8 & 9.

We have considered the materials on record. There are ample evidence connecting the petitioner with the murder. Hence, we are not inclined in granting bail to the petitioner on merits.

With regard to the issue of delay, we note from the report that trial has considerably progressed. Dilation of trial is due to various factors including deferment of cross-examination of witnesses which we do not appreciate. Keeping in mind the aforesaid facts and gravity of the offence, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is thus **rejected**.

Trial court is directed to expedite the trial and conclude the same at an early date.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)

