

24.06.2022.
13.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 1539 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kanksa P.S. Case No.184 of 2018 dated 14.06.2018 under Sections 302/120B/34 of the Indian Penal Code.

In the matter of : Sk. Abul Kalam @ Sk. Abu Kalam
@ Abu Kalam

... Petitioner.

Mr. Ayan Basu,
Sk. Salim,
Mr. Sumit Routh.

...for the Petitioner.

Mr. Neguive Ahmed, Id. A.P.P.,
Mr. Iqbal Kabir.

...for the State.

Heard the learned Advocates appearing for the parties.

Petitioner renews his prayer for bail and submits he is in custody for about four years. Co-accused Jiarul Mollah similarly circumstanced with the petitioner was enlarged on bail in CRM 263 of 2019.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. There are ample materials connecting the petitioner with the murder. Trial is in progress. Petitioner does not stand on the same footing with co-accused Jiarul who was enlarged on bail in view of observations made in CRM 263 of 2019. His prayer for bail was rejected earlier by this Court.

In view of the aforesaid facts, we are not inclined to grant bail to the petitioner on merits.

However, bearing in mind the protracted period of detention suffered by the petitioner, we direct the trial court to expedite the trial and conclude the same at an early date preferably within one year from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.

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

(Ananya Bandyopadhyay,J.)

(Joymalya Bagchi, J.)