

17.06.2022
SL No.49
Saswata
Ct.28
(Rejected)

CRM (DB) 1819 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **Madhyamgram** P.S. Case No. **479/2015** dated **20.08.2015** under Sections **302/201/34** of the **Indian Penal Code**.

And

In the matter of: **Mokbul Ali**

....Petitioner

Mr. Iqbal Kabir
Mr. Sekhar Burman
Mr. Rohit Prasad

...for the Petitioner

Ms. Zareen N. Khan
Mr. Ashok Das

...for the State.

Report filed in Court today is taken on record.

The petitioner is in custody for more than 5 years. It is contended in spite of direction given by this Court in CRM 9270 of 2019, the trial has not been concluded.

Learned lawyer for the State submits trial is in progress and 14 witnesses have been examined.

We have considered the materials on record. There are ample materials connecting the petitioner with the murder. Progress in trial was hindered due to intervening pandemic conditions.

In view of the aforesaid facts, we are not inclined to grant bail to the petitioner at this stage.

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

However, we direct the trial Court to conclude the trial as expeditiously as possible preferably within a period of 6 months from the next date fixed for recording evidence.

Department is directed to communicate a copy of this order to the trial Court for necessary action.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)