

17.06.2022
tkm/ct 28
sl no. 71

C.R.M. (DB) 1851 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Sinthi PS case no. 183/2013 dated 5.11.2013 under sections 120B/395/397 IPC and section 25(1B)(a)/27 of the Arms Act

And

In Re : Md. Israil Khan @ Md Israel Khan petitioner

Md. Khairul

..... for the petitioner

Mr. N Ahmed

Ms. A Gaur

..... for the State

Petitioner is in custody for more than eight years. He prays for bail.

Learned lawyer for the State opposes the prayer for bail and submits petitioner has criminal antecedents. He has been convicted in other cases. His prayer for bail was rejected in March 2022.

We have considered evidence on record. There are materials connecting the petitioner with the offence of dacoity. He has criminal antecedents. His bail prayer was rejected in March 2022 and thereafter trial has progressed.

Under such circumstances, we are not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail is rejected.

However in view of the protracted period of detention suffered by the petitioner, we direct the trial court to conclude the trial at an early date positively within six months from the next date fixed before it for recording evidence without granting adjournments to either of the parties.

Department is directed to communicate the order to the trial court for necessary compliance.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)