

24.06.2022
tkm/ct 28
sl no. 40

C.R.M. (DB) 2007 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Asansol North PS case no. 395 of 2017 dated 10.12.2017 under sections 363/365 IPC

And

In Re : Md. Sarfaraz @ Shera

..... petitioner

Md. Sabir Ahmed

Mr. A Saha

..... for the petitioner

Ms . A Sinh

Ms. Jonaki Saha

..... for the State

Mr. Saibal K Dasgupta

..... for the de facto complainant

Petitioner is in custody for more than four years. He submits he has been falsely implicated in the instant case.

Learned lawyers for the State as well as de facto complainant oppose the prayer for bail.

We have considered the materials on record. Allegations against the petitioner are very grave. Trial is in progress.

In view of gravity of the offence and as trial is in progress, we are not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail is rejected.

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

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)