

48 04.03.2022
(AD) Court No.29
(Rejected)

C.R.M. 5576 of 2021

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Karimpur** P.S. Case No.**250 of 2009** dated **13/11/2009** under Section **396** and added Sections **120B** and **412** of the Indian Penal Code and Sections **25/27** of the Arms Act.

And

In the matter of: Azad Khan @ Gokul

....petitioner.

Mr. Sourav Chatterjee
Mr. Asraf Mandal

Mr. Saibal Bapuli, Ld. APP
Mr. Arani Bhattacharyya

...for the State.

Report as called for by the order dated December 9, 2021
filed in Court be taken on record.

It appears from the report that the cross-examination of the last Investigating Officer is yet to be concluded. Consequently, the trial is at the fag end. After the conclusion of the cross-examination of the last Investigating Officer, the prosecution will not introduce any other witness. Thereafter, obviously, provisions of Section 313 of the Code of Criminal Procedure will take over. The Court is informed that the next date fixed is on March 23, 2022.

Given the period of detention of the petitioner, it would be appropriate to request the trial court to dispose of the trial as expeditiously as possible. The trial court is requested to fix consecutive dates of the trial for the purpose of recording of evidence and for the purpose of advancing arguments on conclusion of the evidence tendered. The trial court is requested to dispose of the trial preferably within a period of six months from

March 23, 2022.

Considering the gravity of the offence and the involvement of the petitioner therein and considering the fact that the trial is at the fag end, we are unable to enlarge the petitioner on bail at this crucial stage.

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

C.R.M. 5576 of 2021 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)