

10.08.2022

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rejected

C.R.M.(DB) No. 2688 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Magrahat Police Station Case No. 107 of 2015 dated 26.02.2015 under Sections 302/34 of the Indian Penal Code and Sections 25/27 of the Arms Act.

And

In Re : Anowar Hossain Fakir @ Boto petitioner

Ms. Trina Mitra

... for the petitioner

Mr. Rudradipta Nandy, learned APP

Ms. Sonali Das

Ms. Sreeparna Das

... for the State

Learned Counsel appearing for the petitioner submits he is in custody for more than seven years. It is also submitted that there is inordinate delay in trial of the case.

Learned Counsel appearing for the State opposes prayer for bail and submits trial is at its fag end and cross-examination of the first investigating officer has been scheduled.

We have considered materials on record. There are ample materials connecting the petitioner with the murder. His bail prayer was rejected on a number of occasions by this Court. Trial has substantially progressed and date has been fixed for cross-examination of the first investigating officer.

In view of the aforesaid circumstances and gravity of the offence, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is, thus, rejected.

We direct the trial court to expedite the trial and conclude the same at an early date without granting any unnecessary adjournment to either of the parties.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)