

06.09.2022
Sl. No.10
akd
[Rejected]

C. R. M. (DB) 2984 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 30.08.2022 in connection with Beniapukur Police Station Case No. 259 of 2016 dated 11.06.2016 under Sections 307/34/302 of the Indian Penal Code and Sections 25/27 of the Arms Act.

And

In Re: ***Md. Salauddin***

... .. Petitioner

Mr. Sourav Mandal

... .. for the petitioner

Mr. Neguive Ahmed .. Id. Addl. Public Prosecutor

Ms. Trina Mitra

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 2277 days. It is further submitted there is inordinate delay in the trial.

Learned advocate appearing for the State opposes the prayer for bail and submits bail prayer of a co-accused on the ground of delay had been turned down by a coordinate Bench of this court in CRM 8497 of 2021. Delay in the present case is engineered by tactics adopted by the defence.

We have considered the materials on record. No doubt there is delay in the trial of the case. Taking cognizance of such fact, a coordinate Bench of this court while turning down the prayer for bail of co-accused in CRM 8497 of 2021 directed the trial court to conduct the trial on a day to day basis and conclude the same within eight months. It is contended on behalf of the State delay in the present case was engineered by the defence. In view of the aforesaid fact, we are not inclined to grant bail to the petitioner at this stage.

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

Trial court is directed to expedite the trial and conclude the same at an early date.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)