

22.02.2023.
15.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 572 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Jagaddal P.S. Case No.628 of 2018 dated 03.06.2018 under Sections 302/34 of the Indian Penal Code read with Sections 25/27 of the Arms Act.

In the matter of : Aftab Alam @ Raja.

... Petitioner.

Mr. Moyukh Mukherjee,
Mr. Abhijit Singh.

...for the Petitioner.

Mr. Madhusudan Sur, Id. A.P.P.,
Mr. Ashok Das.

...for the State.

Heard the learned Advocates for the parties.

Report is filed by the Registrar (Judicial Service). From his report, we note the Judicial Officer had appeared before the trial Court in February, 2021. She was examined in part. Learned Advocate for one of the accused misbehaved with the Judge and the witness had to be discharged. Subsequent summons was served upon her on a day when she was on leave to attend personal business. Date has been fixed for her examination on 30th March, 2023.

We have also considered the materials on record. Eight witnesses have already been examined. Delay in examination of the Judicial Officer was due to indolent conduct of the lawyer representing an accused. This is not appreciated. There are ample materials connecting the petitioner with the crime.

Hence, we are not inclined to grant bail to the petitioner.

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

Trial court is directed to expedite the trial and conclude the same at an early date preferably within six months from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.

Parties shall co-operate with the trial court in that regard.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)