

22.03.2023
tkm/ct 28
sl no.42

C.R.M. (DB) 1049 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Durgachak P.S case no. 30 of 2020 dated 18.2.2020 under sections 201/302/120B/34 IPC

And

In Re : Sk. Saddam Husan petitioner

Mr. Anand Keshari
Mr. Gaurav Kuamr
Mr. S Ghosh

..... for the petitioner

Mr. Sudip Ghosh
Mr. Bitasok Banerjee

..... for the State

Petitioner is in custody for more than three years. He submits there is slow progress in trial. He renews his bail prayer.

Learned lawyer for the State opposes the bail prayer. He submits 25 witnesses have already been examined.

We have considered the materials on record. Bail prayer of the petitioner was rejected earlier on merits. Though it is contended trial was directed to be concluded preferably within one year which has expired, we note prosecution has acted with diligence and 25 witnesses have already been examined.

Under such circumstances and in view of the gravity of offence, we are not inclined to grant bail to the petitioner on this score.

Accordingly, prayer for bail is rejected.

Trail court is requested to ensure conclusion of trial at an early date preferably within one year from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)