

24.03.2023.
35.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 1082 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with West Port P. S./DD Case No.313 of 2017 dated 27.12.2017 under Sections 394/397 of the Indian Penal Code.

In the matter of : Wahid Hossain.

... Petitioner.

Mr. Sourav Chatterjee,
Mr. Abhinav Rakshit,
Ms. Namrata Chatterjee.

...for the Petitioner.

Ms. Faria Hossain,
Mr. Anand Keshari.

...for the State.

Petitioner is in custody for more than five years. He submits there is delay in trial. He prays for bail.

Learned Advocate for the State opposes the bail prayer. He submits 11 witnesses have already been examined. Petitioner has criminal antecedents. He indulged in improper conduct even in custody.

We have considered the materials on record. Allegation involved robbery in a public thoroughfare. 11 witnesses have already been examined. That apart, petitioner conduct in jail was not appreciable. He has criminal antecedents. There is high possibility of his abscondence, if released on bail.

Under such circumstances, we are not inclined to grant bail to the petitioner.

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

Trial court is requested to conclude the trial as expeditiously as possible preferably within six months from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.

Department is directed to communicate this order to the trial court for necessary compliance.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)