

02.05.2023
tkm/ct 28
sl no.50

C.R.M. (DB) 1782 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Anandapur PS case no. 207 dated 5.7.2015 under section 302 IPC

And

In Re : Abdul Rahaman Molla @ Shahrukh @ Nissan

..... petitioner

Mr. Navanil De
Ms. Ayantika Roy
Mr. R Chakraborty
Mr. S Ghosh
Ms. B Mandal
Mr. S Dey
Ms. M Mukherjee

..... for the petitioner

Ms. Z N Khan
Mr. Ashok Das

..... for the State

Petitioner is in custody for more than seven years. It is submitted there is slow progress in the trial. He prays for bail.

Learned lawyer for the State opposes the bail. She submits trial is in progress.

We have considered the materials on record. Victim was found dead in a godown. CCTV footage showed petitioner was present with the victim immediately prior to his death. Trial is in progress. Delay in the matter is due to machination adopted by the defence and offence, if proved, would attract mandatory life imprisonment. There was vacancy in the trial court too.

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

Trial court is requested to conduct the trial with utmost expedition and fix schedule for examination of witnesses at regular interval and conclude the trial at an early date preferably within

two years from the next date fixed for recording evidence without granting unnecessary adjournments to either of the parties.

Parties shall communicate the order to the trial court for necessary compliance.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)