

19.05.2023
tkm/ct 28
sl no.44

C.R.M. (DB) 2053 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Kaliachak PS case no. 740 of 2018 dated 6.10.2018 under sections 489(B)/489(C)/120B IPC and section 26(IB)(IAA)/35 of the Arms Act

And

In Re : Md. Tamrej

..... petitioner

Mr. T Quasimuddin
Zainab Tahur

..... for the petitioner

Mr. Sudip Ghosh
Mr. Bitasok Banerjee

..... for the State

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

Learned lawyer for the State opposes the bail prayer.

We have considered the materials on record. A large cache of illegal arms and Fake Indian Currency Notes (for short FICNs) were recovered from the petitioner. 3 out of 12 witnesses have already been examined.

Keeping in mind the materials on record and the gravity of offence, we are not inclined to grant bail to the petitioner.

Accordingly, prayer for bail is rejected.

However, we direct the trial court to conclude the trial by fixing schedules at regular intervals preferably within one year from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.

In the event witnesses were not available, trial court may resort to their examination through video linkage.

Medical attention if needed be extended to the petitioner.

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)