

25.04.2023
Sl. No.81
akd

C. R. M. 4773 of 2018

In Re : An application for cancellation of bail under Section 439(2) of the Code of Criminal Procedure filed on 05.07.2018 :

A N D

In Re : Rehana Bibi @ Rehana Gazi

..... Petitioner

Mr. Kallol Kumar Basu
Md. Jannat-ul-Firdous

... .. for the petitioner

Petitioner has assailed order dated 26.06.2018 granting bail to opposite party no.2.

It is contended on behalf of the petitioner that the victim suffered bullet injury. Gravity of the offence has not been considered. Earlier rejections of the bail prayer of opposite party no.2 had also not been taken into consideration.

We have considered the materials on record. Opposite party no.2 has been enlarged on bail in June, 2018. It is contended earlier rejection of pre-arrest bail was not considered. Parameters to consider the prayer for bail are different from that of pre-arrest bail. Bail was granted to opposite party no.2 in 2018 and more than four years have lapsed since then.

In view of the aforesaid circumstances, we are not inclined to interfere with the order granting bail to opposite party no.2.

We direct the trial court to conclude the trial at an early date without unnecessary delay. In the event, opposite party no.2 delays and/or dilates the proceeding or misuse his liberty, it shall be open to the petitioner to renew her prayer for cancellation of bail in accordance with law.

With the aforesaid observations, CRM 4773 of 2018 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)