

14.07.2023
Sl. No.29
akd
[Rejected]

C. R. M. (DB) 2791 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 06.07.2023 in connection with Kaliachak Police Station Case No.756 of 2016 dated 26.10.2016 under Sections 302/376(2)(g)/201/34 of the Indian Penal Code.

And

In Re: **Tahirul Sk.**

... .. Petitioner

Mr. Arup Kumar Bhowmick

... .. for the petitioner

Mr. Madhusudan Sur .. Id. Addl. Public Prosecutor

Mr. Dipankar Paramanick

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about six years and eight months. It is further submitted inspite of direction given by this court in March, 2022 to conclude trial within three months, trial has not concluded. Accordingly, he renews his prayer for bail.

Learned Additional Public Prosecutor opposes the prayer for bail and submits the last prosecution witness is being examined.

We have considered the materials on record. Allegation involves rape and murder. Trial has substantially progressed and earnest efforts have been made to comply with the earlier conditions given by this court. Hence, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is thus rejected.

Trial court is directed to expedite the trial and conclude the same at the earliest.

Parties shall communicate a copy of this order to the trial court for due compliance.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

