

10.10.2023
tkm/ct 28
sl no. 35

C.R.M. (DB) 3781 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Bakultala PS case no. 215 of 2021 dated 28.8.2021 under sections 302/34 IPC

And

In Re : Khalil Sekh

...petitioner

Mr. S Chowdhury

..... for the petitioner

Mr. M Sur

Mr. M Mhata

..... for the State

1. Learned lawyer for the petitioner submits there is no direct evidence connecting him with the crime. He renews his bail prayer.
2. Learned lawyer for the State opposes the bail prayer. He contends trial is in progress. 12 witnesses have already been examined.
3. We have considered the materials on record. Bail prayer of the petitioner was rejected on merits in June 202. Thereafter four witnesses have been examined. Progress in trial cannot be said to be insignificant. Offence if approved, would attract mandatory life imprisonment.
4. Hence, we are not inclined to grant bail to the petitioner and his prayer for bail is rejected.
5. Trial court is requested to expedite the trial and conclude the same at an early date preferably within one year from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.
6. Parties shall communicate this order to trial court for necessary compliance.
7. Personal appearance of the investigating officer is noted and dispensed with.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)