

18.10.2023
Sl. No.24
akd
[Rejected]

C. R. M. (DB) 3883 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 30.10.2023 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. (G.R. Case No.4640 of 2016)

And

In Re: **Sany @ Sanyrul Sk.**

... .. Petitioner

Mr. Mazhar Hossain Chowdhury
... .. for the petitioner

Mr. Neguive Ahmed .. Id. Addl. Public Prosecutor
Ms. Amita Gaur
... .. for the State

1. Heard the learned Advocates appearing for both the parties.
2. Report is placed on record. From the report it appears cross-examination of the Investigating Officer has been deferred at the behest of the defence till 16.12.2023.
3. We have considered the materials on record. There are ample materials implicating the petitioner in the murder. Though he has suffered incarceration for a considerable period of time, we take note of the fact that offences, if proved, would attract mandatory life imprisonment. We also take note of the conduct of the defence who had sought adjournment of cross-examination of the Investigating Officer on a number of occasions and delayed the proceeding.
4. Under such circumstances, we are not inclined to grant bail to the petitioner at this stage.
5. The application for bail is thus rejected.
6. Trial court is directed to conduct the trial as expeditiously as possible and conclude the same at an early date preferably within six months

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

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)