

18.10.2023.
44.
Ct.No.28
As
(Rejected)

C.R.M. (DB) 4098 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Regent Park P. S. (DD) Case No.64 of 2013 dated 08.04.2013 under Sections 365/120B of the Indian Penal Code and adding Sections 364/302/201/34 of the Indian Penal Code.

In the matter of : **Sajal Ghosh.**

... Petitioner.

Mr. Ayan Basu,
Sk. Salim,
Mr. Sumit Routh.

...for the Petitioner.

Mr. Saswata Gopal Mukherji, Id. P.P.,
Mr. Madhusudan Sur, Id. A.P.P.,
Mr. Dipankar Pramanik.

...for the State.

1. Petitioner is in custody for more than ten years. He submits there is inordinate delay in trial. He prays for bail.
2. Learned Advocate for the State opposes the bail prayer. He submits prosecution evidence is almost complete. Cross-examination of the Investigating Officer was deferred on a number of dates at the behest of the defence.
3. We have considered the materials on record. There are ample materials connecting the petitioner with the crime. Offences, if proved, would attract mandatory life imprisonment. Cross-examination of the Investigating Officer has been deferred at the behest of the defence on a number of occasions. Trial is at its fag end.
4. Under such circumstances and in view of gravity of offence, we are not inclined to grant bail to the petitioner.

5. Accordingly, the prayer for bail of the petitioner is rejected.

6. We request the Trial Court to ensure the conclusion of the cross-examination of the Investigating Officer positively on the next date fixed before it and if the Court is unable to do so due to circumstances beyond control, within 2/3 days thereof.

7. Thereafter, the Trial Court shall proceed with the trial expeditiously and conclude the same within three months from the conclusion of cross-examination of Investigating Officer.

8. Parties shall co-operate with the Trial Court and communicate this order to the Trial Court for due compliance.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)