

29.02.2024
Sl. No.84
akd
[Rejected]

C. R. M. (DB) 586 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 20.02.2024 in connection with Eco Park Police Station Case No.72 of 2022 dated 01.04.2022 under Sections 302/201/120B of the Indian Penal Code.

And

In Re: ***Md. Iftikar @ Sharukh***

... .. Petitioner

Mrs. Reshmi Roy (Verma)

... .. for the petitioner

Mr. Sudip Ghosh

Mr. Rajes Jana

... .. for the State

1. It is submitted on behalf of the petitioner that there is no direct evidence connecting him with the murder. Trial has not concluded. Accordingly, he renews his prayer for bail.
2. Learned Advocate for the State opposes the prayer for bail and submits most of the prosecution witnesses have already been examined.
3. We have considered the materials on record. Petitioner had accompanied the co-accused and held out threats to the deceased. It is also noted on the leading statement of the petitioner a vehicle used to dispose off the dead body was recovered. Blood from the vehicle matched with that of the deceased. Impact of these incriminating statements requires to be assessed in the light of the entire evidence on record during trial. Trial is at its fag-end. Keeping in mind the aforesaid circumstances and gravity of offence, we are not inclined to grant bail to the petitioner at this stage.
4. The application for bail is thus rejected.

5. Trial court is directed to conduct the trial with utmost expedition 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.
6. Parties shall communicate a copy of this order to the trial court for due compliance.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)