

08.04.2024
Sl. No.34
akd
[Rejected]

C. R. M. (DB) 1022 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 21.03.2024 in connection with Park Street Police Station Case No.206 of 2016 dated 13.08.2016 under Section 302 of the Indian Penal Code. (G.R. Case No.1656 of 2016)

And

In Re: ***Syed Rizwan Ali @ Sayed Rejwah***

... .. Petitioner

Mr. Ayan Bhattacharya
Mrs. Shaila Afrin

... .. for the petitioner

Mr. Debasish Roy .. Id. Public Prosecutor
Mr. Rudradipta Nandy .. Id. Addl. Public Prosecutor
Ms. Mamata Jana

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for more than seven years. It is further submitted there is delay in trial. In spite of direction given by this court in CRM (DB) 4135 of 2022 to complete trial preferably within one year, trial has not come to an end. Accordingly, he prays for bail.
2. Learned Additional Public Prosecutor opposes the prayer for bail and submits petitioner has prior conviction. Ample evidence has come on record implicating him in the murder. Almost all prosecution witnesses have been examined. He assures the court trial shall be concluded within six months from the next date fixed for recording evidence subject to cooperation by defence and systemic reasons.
3. We have considered the materials on record. Petitioner has prior conviction. Bail prayer of the petitioner was rejected earlier on merits. On the score of delay in trial, we find most of the prosecution witnesses have been examined. Prosecution assures the court to

conclude trial within six months. Under such circumstances, 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 expedite the trial in the light of the assurance given by the prosecution. Parties shall cooperate with the trial court in that regard.
6. Parties shall communicate a copy of this order to the trial court for due compliance.

(Prasenjit Biswas, J.)

(Joymalya Bagchi, J.)