

01.05.2024.
36.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 1278 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection Kaliachak P.S. Case No.756 of 2016 dated 26.10.2016 under Sections 302/376(2)(g)/201/34 of the Indian Penal Code.

In the matter of : **1) Tahirul Sk.**
2) Sany @ Sanyrul Sk.
... Petitioners.

Mr. Amitabha Karmakar,
Mr. Arup Kr. Bhowmick.
...for the Petitioners.

Mr. Saryati Dutta,
Mr. Sobhan Gani.
...for the State.

1. Petitioner is in custody for over seven years. He submits there is delay in trial. Accordingly, he prays for bail.

2. Learned Advocate for the State opposes the bail prayer. He submits report. He contends examination of all prosecution witnesses shall be completed by the next date of hearing.

3. We have considered the materials on record. Allegations involve murder and rape. Offences, if proved, would attract mandatory life imprisonment. Trial is at its fag end.

4. Under such circumstances, 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 conclude the trial 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 co-operate with the trial court and communicate this order for due compliance.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)