

CRM (DB) 1670 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Mejia Police Station** Case No. **91 of 2021** dated **12.08.2021** under Sections **302/201/120B** of the Indian Penal Code.

- A n d -

In the matter of : Amit Ruidas

.... Petitioner.

Mr. Riddhiman Mukherjee,
Mr. A. Roy,

... For the Petitioner.

Mr. Subhamoy Bhattacharyya,
Mrs. Manasi Roy,

... For the State.

The petitioner renews his prayer for bail which was rejected earlier by an order dated August 8, 2022 passed in CRM (DB) 2681 of 2022. The petitioner says that he is in custody for more than two years and ten months. Out of 22 witnesses examined so far only one has mentioned the petitioner's name and one has identified him for the first time in court. He prays for bail on the ground of delay in progress of the trial.

Learned Advocate for the State says that 33 out of 36 witnesses have been examined. Only the Investigating Officers remain to be examined. The trial is on the verge of conclusion. The petitioner's prayer should not be allowed at this stage.

The petitioner has been in custody for a long period of time. However, since it cannot be said from the material on record that there is no incriminating evidence against the petitioner and the trial is about to conclude, we do not allow the petitioner's prayer for bail at this stage.

We direct the learned Trial Court to ensure that the trial is concluded by delivery of judgment within three months from the date of communication of this order by the parties to the learned Trial Court, if necessary by fixing consecutive schedules of at least three dates each. This is necessary since we cannot lose sight of the fundamental right of a citizen to speedy trial and personal liberty.

We make it clear that if the trial is not concluded within the time period indicated herein, the petitioner will be at liberty to renew his prayer for bail.

CRM (DB) 1670 of 2024 is, thus, dismissed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)