

31.
19-07-2024
(ct. no.28)
debajyoti
(rejected)

CRM (DB) 1950 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kaliachak Police Station Case No.1161 of 2022 dated 11-10-2022 under Sections 489(B)/489(C)/120B of the Indian Penal Code.

- A n d -

In the matter of : Md. Shahnawaz

.... Petitioner.

Mr. Amitabha Karmakar,
Mr. Arup Kumar Bhowmick

... For the Petitioner.

Ms. Subhasree Patel,
Mr. Abhinaba Mukherjee

... For the State.

The petitioner renews his prayer for bail. He says that he is in custody for 1 year 9 months.

We find from the report filed in Court today on behalf of the State that during the last schedule fixed on July 15-16, 2024, no witness could be examined.

Only two witnesses remain to be examined. In view of the *prima facie* incriminating material and evidence against the petitioner, we are not inclined to enlarge the petitioner on bail, at this stage.

However, a citizen's right to personal liberty and speedy trial also cannot be lost sight of. We direct the learned trial Court to complete the trial by delivery of judgment positively within two months from the next date fixed for recording of evidence.

We clarify that in the event the trial is not concluded within the time period indicated herein, the petitioner will be entitled to renew his prayer for bail.

The application for bail being CRM (DB) 1950 of 2024 is, thus, **dismissed**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)