

10.07.2024
Item no. 47.
Court No.28.
AB
(Rejected)

CRM (DB) 2004 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Kandi P.S. Case No.28 of 2023 dated 23.1.23 under Sections 302/120B of the Indian Penal Code

And

In the matter of : Muktara Bibi

.....Petitioner.

Mr. Manas Kr. Das
Mr. Aritra Kr. Thokdar for the Petitioner.

Ms. Z. N. Khan,
Mr. Santanu Deb Roy for the State.

The petitioner renews her prayer for bail, which was rejected on merits by a Coordinate Bench by an order dated October 12, 2023, passed in CRM (DB) 3962 of 2023. Since there is no change in circumstances since then, we are not inclined to allow the petitioner's prayer for bail.

The prayer for bail is, accordingly, rejected.

CRM (DB) 2004 of 2024 is dismissed.

However, the petitioner says that there is huge delay in progress of the trial. She is in custody for 519 days. Only 4 out of 48 witnesses have been examined. Nobody can guess when the trial will conclude.

We appreciate the petitioner's anxiety. Indeed, we are unhappy with the slow pace at which the trial is proceeding. A

citizen's fundamental right to personal liberty and speedy trial has to be kept in mind always.

We direct the learned Trial Court to expedite the trial to the fullest extent possible and conclude the same as soon as possible, but positively within a year from the next date fixed for recording of evidence, without granting any unnecessary adjournment to either of the parties and if necessary, by fixing frequent schedules for examination of witnesses.

The parties shall communicate this order to the learned Trial Court.

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

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)