

CRM (DB) 2082 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Raninagar Police Station** Case No. **374 of 2021** dated **16.08.2021** under Section **341/325/326/307/302/120B/34** of Indian Penal Code and Sections 25/27 of the Arms Act and Sections 3/4 of the Explosive Substances Act.

- A n d -

In the matter of : Jharu Mondal

.... Petitioner.

Mr. Arnab Chatterjee,
Mr. D. Biswas,
Ms. Poulami Bose,

... For the Petitioner.

Mr. Antarikhya Basu,
Mr. Debangshu Ghorai,

... For the State.

Order dictated by Arijit Banerjee, J.:

1. The charge is of murder. The petitioner says that he is in custody for two years and ten months. Only 17 out of 55 witnesses named in the charge sheet, have been examined. There is no possibility of an early conclusion of the trial. On the ground of delay in progress of trial, he prays for bail.
2. While opposing the prayer for bail, learned Advocate for the State draws our attention to the material in the case diary. The depositions of vulnerable witnesses clearly implicate the present petitioner as the main assailant. The offending fire arm was recovered from the petitioner.
3. In view of the aforesaid, we are not inclined to enlarge the petitioner on bail.
4. CRM (DB) 2082 of 2024 is, thus, dismissed.

5. However, considering that the petitioner is in custody for a considerable period of time and the importance of a citizen's fundamental right to personal liberty and speedy trial, we direct the learned Trial Court to expedite the trial to the fullest extent possible and conclude the same as soon as possible but definitely within a year from the next date fixed for examination of witnesses.

6. 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.)