

07.11.2024
sdas/tkm/ct 28
sl no. 91

C.R.M. (DB) 3560 of 2024

In Re : An application for bail under section 483 of the BNSS 2023 in connection with Bhangore PS case no. 215 of 2016 dated 28.3.2016 under sections 498A/302/394/397/118/120B IPC read with section 25(1)(a)/27 of the Arms Act along with section 3/4 of DP Act

And

In Re : Selim Molla petitioner

Mr. R S Chattopadhyay
Mr. M Sarkar
Mohammed Reajul

..... for the petitioner

Md. Anwar Hossain
Mr. Sobhan Gani

..... for the State

1. Petitioner is in custody for more than eight years. He submits there is inordinate delay in trial. He prays for bail.
2. Report is placed on record with regard to the reason for delay in trial.
3. From the report it appears delay is not at the behest of the prosecution but due to transfer of the trial judge. Allegation against the petitioner is very grave. Bail prayer of co-accused have been rejected earlier on merits on a number of occasions. Direction for expeditious conclusion of trial could not be complied due to absence of learned judge in the trial court. Trial has substantially progressed and only two witnesses are left to be examined.
4. Hence, we are not inclined to grant bail to the petitioner at this stage.
5. Accordingly, prayer for bail is rejected.
6. We request the judge-in-charge to record deposition of the remaining witnesses on the next date fixed and trial be concluded as expeditiously as possible.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)