

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

05.03.2024
Court No.1
Item. 16
(Suvendu)

CRM(DB) 42 OF 2024

In Re: An application for Bail under Section 439 of the Code of Criminal Procedure, 1973 filed in connection with Siliguri Police Station No. 1173 of 2022 dated 26.12.2022 under Sections 302 and 201 of the IPC corresponding to GR Case No. 5557 of 2022 and Sessions Case No. 66 of 2023 pending before the learned Additional District & Session Judge, Fast Track Court at Siliguri.

And

In the matter of: Md. Ansarul Ali

.Petitioner.

Mr. Somraj Paul

For the Petitioner.

Mr. Abhijit Sarkar
Mr. Subhasish Misra

For the State.

1. The petitioner’s prayer for bail was rejected by a coordinate Bench on 5th June, 2023. The Court however directed the learned Additional District & Sessions Judge, Fast Track Court, Siliguri to fix a date for framing of charges and to proceed with the trial as expeditiously as possible.
2. It however appears that 9 months have passed since the last order and charges are yet to be framed.
3. Learned counsel appearing for the prosecution submits that the charges will be framed on 21st March, 2024.
4. We are concerned with the delay in the trial and particularly in the face of the direction of the coordinate Bench. We however deem it fit to give one chance to the prosecution to expedite the trial on and from 21st March, 2024.

5. The petitioner will have liberty of approaching the Court for appropriate orders if there is any further delay in the trial.
6. We are hence not inclined to allow the prayer for bail
7. CRM(DB) 42 of 2024 is accordingly rejected.

(PRASENJIT BISWAS, J.)

(MOUSHUMI BHATTACHARYA, J.)