

15.07.2025

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jb.
jdt.

C.R.M. (M) 814 of 2025

In Re : An Application under Section 439 of the Code of Criminal Procedure/under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Raina Police Station Case No. 292 of 2021 dated 23.10.2021 under Sections 302/307/201/120B/34 of the Indian Penal Code.

And

In Re : Md. Mahtab Alam

Mr. Joydeep Biswas
Mr. Kaushik Ghosh

... For the Petitioner.

Mr. Antarikhya Basu
Mr. Prakash Mishra

... For the State

Mr. Navanil De
Mr. Srinjan Ghosh

... For the Defacto Complainant

The petitioner is in custody for nearly 4 years and submits that he is similarly circumstanced with the co-accused who have been granted bail earlier.

Learned counsel for the State opposes the prayer.

Bail prayer of the petitioner was turned down by this Court earlier upon consideration of the material on record. On merits, the petitioner does not deserve a favourable order at this stage.

With regard to the progress in trial, the prosecution proposed to examine 25 witnesses, out of whom 4 witnesses have been examined till date. Prosecution intends to conclude the trial within one year from the next date of evidence fixed before the learned trial Court subject to co operation by the petitioner/co-accused and systemic reasons. The petitioner is in custody for about 4 years. Offences, if proved, shall attract mandatory life imprisonment.

In view of the above, prayer for bail is rejected at this stage.

Learned trial Court is directed to take the proceeding to its logical conclusion without granting any unnecessary adjournment to either of the parties in the light of the submission made on behalf of the State.

The application for bail is disposed of.

Case diary be returned.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)