

D/L40

26.02.2025

Rohit

ct.no.26

C.R.M. (DB) 3849 of 2024

In Re: An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Basirhat Police Station Case No. 1101 dated 03.10.2020 under Sections 498A/302/201/34 of the Indian Penal Code

And

In Re: **1. Abdul Karim Sekh @ Sk. Abdul Karim**
2. Nachima Bibi @ Nasima Bibi

...Petitioner

Mr. Safdar Azam

...for the petitioner

Mr. Debasish Roy, Ld. P.P

Mr. Arijit Ganguly

Mr. Koushik Kundu

...for the State

1. Petitioners prays for bail on the ground of delay of trial.
2. Learned Advocate appearing for the petitioners submits that the petitioners are in custody in excess of four years four months. He submits that, there is hardly any possibility of the trial concluding any time in the near future.
3. Learned Advocate appearing for the State submits that, defence including the petitioner obtained time at the trial therefore delayed the disposal of the trial. He submits that out of nine prosecution witnesses four were examined.

4. We find from the materials on record that the petitioners before us stands implicated in murder. The victim was the wife of the son of the petitioners before us. Body of the victim was found at her matrimonial home in a pond. Post mortem report states that she was strangled to death.
5. Evidence on record implicates the petitioners.
6. Trial is in progress.
7. Petitioners took adjournments at the trial at least thrice.
8. Five more prosecution witnesses remain to be examined.
9. In such circumstances, we are not inclined to grant bail to the petitioner.
10. Learned Advocate appearing for the petitioners request the Court to issue directions for expeditious disposal of the trial.
11. No doubt, the learned Trial Judge will take into account the period of custody of the petitioners and will endeavour to dispose of the trial as expeditiously as possible. In doing so, the learned Trial Judge will not grant any unnecessary adjournments to any of the parties.
12. Prayer for bail of the petitioners is **rejected**.
13. **C.R.M.(DB) No. 3849** of **2024** is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)