

30.9.2020
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IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

C.R.M. No. 2766 of 2020

Bishu Sk.

-vs-

The State of West Bengal

with

CRAN/1/2020(CRAN is not with the file)

In Re: An application for bail under **Section 439 CrPC** in connection with Raghunathgunj P.S. Case No.586 of 2019 dated 10.10.2019 under sections 302/447 of the Indian Penal Code.

Mr. Mrityunjay Chatterjee,

Mr. S. Chakraborty

...for the petitioner.

Mr. Rana Mukherjee,

Mrs. Sujata Das

... for the State.

The learned Advocate appearing for the petitioner submits that the petitioner is in custody for 330 days and till date charge has not been framed.

Mr. Mukherjee, learned Advocate appearing for the State produces the case diary and draws the attention of the court to the statement under Section 164 of the Code of Criminal Procedure of the child of the victim/deceased.

We have taken into account the totality of the circumstances appearing in the case diary and considering the nature and gravity of the offence, we are not inclined to release the present petitioner on bail at this stage.

Accordingly, the prayer for bail of the petitioner is rejected.

However, considering the period of detention of the petitioner we direct the learned trial court to take reasonable steps for completing the stage of consideration of charge within four weeks from normal resumption of the functioning of the court and proceed with the trial for taking the same to its logical conclusion in an urgent manner.

CRM No.2766 of 2020 and CRAN/1/2020 are disposed of.

[Tirthankar Ghosh J]

[Samapti Chatterjee, J]