

10.09.2020

ssd

CRM 6372 of 2020
CRAN 1 of 2020
(Via Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kotowali P.S. Case No.401 of 2018 dated 13.07.2018 under Sections 341/323/324/325/326/307/302/120B/212/506/34 of the Indian Penal Code and Sections 25(1A)/27/35 of the Arms Act.

And

In the matter of: **Sayon Haque @ Lotus**

....Petitioner.

Ms. Suman Sehanabis (Mandal)

...for the Petitioner.

Mr. Aditi Shankar Chakraborty

Mr. Sourav Ganguly

...for the State.

The petitioner undertakes to appropriately stamp the petition as per the Rules within 48 hours of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

The previous rejections were on March 12, 2019 and July 30, 2020.

The rejection in March was on merits and such order was passed before any lockdown was in place and before the gravity of the pandemic could be fully perceived. The prayer was subsequently rejected in July, 2020 since Advocate for the petitioner made no attempt to join in. Notwithstanding such rejection, the matter could have been considered on merits, if meritorious grounds were made out. However, the only

ground urged is the delay in the trial. It is elementary in these difficult times that criminal trials cannot be taken up expeditiously. As the pace of work is slowly gathering in the courts all over the State, it is hoped that the criminal trials will begin shortly rather than in the distant future. Since there is no change in the circumstances after the previous order on merits was passed in March, 2019, the present prayer is rejected.

CRM 6372 of 2020 and CRAN 1 of 2020 are disposed of.

(Sanjib Banerjee, J.)

(Aniruddha Roy, J.)