

**CRM 6546 of 2020
with
IA No. 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 Pathar Pratima P.S. Case No.211 of 2018 dated 08.10.2018 in Sessions Trial Case No.10(2) of 2019, arising out of Special POCSO No.40 of 2018 under Section 376(2)(i) of the Indian Penal Code read with Section 6 of the Protection of Children from the Sexual Offences Act.

And

In the matter of: **Samir @ Batas Barik**

....Petitioner

Mr. Partha Sarathi Mondal

...for the Petitioner

Mr. Bidyut Kumar Roy
Ms. Rita Datta

...for the State

The petitioner undertakes to affirm and 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 petitioner says that since the last rejection of the petitioner's prayer for bail in 2019, no progress has been made in the trial.

The State says that the trial has commenced but because of the pandemic, the same could not be concluded in the last six months or so.

Considering that the delay is beyond the control of the State, the petitioner is not entitled to obtain any benefit. The prayer for bail is rejected at this stage.

It is hoped that the trial will be resumed as expeditiously as possible.

CRM 6546 of 2020 and the interim application therein are disposed of.

(Sanjib Banerjee, J.)

(Aniruddha Roy, J.)