

16.09.2020
Item No.12
Court No.08
Dc/Aj.

Rejected

C.R.M. 6566 of 2020
C.R.A.N. 1 of 2020
(Through Video Conference)

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure arising out of Durgachak P.S. Case No. 59 of 2013 dated 27.03.2013 arising out of G.R. No. 386 of 2013 in connection with Sessions Trial No. 08(11) of 2017 under Sections 302/34 of the Indian Penal Code.

And

In the matter of : Kinkar Mondal.
... Petitioner.

Mr. Partha Sarathi Mondal. ... For the Petitioner.

Mr. Sudip Ghosh,
Mr. Apurba Kumar Datta. ... For the State.

Petitioner undertakes to affirm and stamp the petition/application as per Rules within one month of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing through video conference.

Learned counsel appearing on behalf of the State has submitted that the prayer for bail of the petitioner was rejected on an earlier occasion.

The petitioner has fairly referred to the orders in the petition.

On perusal of the orders annexed to the petition, we find that the petitioner was absconding initially for a considerable period of time and on June 27, 2019, 11

witnesses out of 15 witnesses have been examined. We have been informed by the learned counsel for the State that the case is at the argument stage.

Under such circumstances, we are not inclined to grant bail to the petitioner.

However, we request the learned trial judge to dispose of the matter preferably within a period of six months from the date of resumption of normalcy.

CRM 6566 of 2020 and CRAN 1 of 2020 are disposed of.

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

(Jay Sengupta, J.)

(Soumen Sen, J.)