

16.09.2020
Item No.15
Court No.08
Dc/Aj.

Rejected

C.R.M. 6570 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 CBI/SCB/Kolkata Case No. RC2/S/13 dated 1.3.2013 under Sections 304 (Part II)/201/467/471/34 of the Indian Penal Code being G.R. No. 644/2013.

And

In the matter of : Somenath Roy @ Sunny.
... Petitioner.

Mr. S.G. Chowdhury. ... For the Petitioner.

Mr. Y.J. Dastoor,
Mr. Debu Chowdhury. ... 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 petitioner submits that the petitioner is in custody since April, 2013 and there is no possibility of speedy trial due to pandemic situation. Learned counsel has referred to the orders annexed to the petition showing that two of the co-accused persons have been granted bail.

We have perused the orders annexed to the petition. It appears that two of them were not originally charge-sheeted

and one of them was a lady. However, it appears that so far as the present petitioner is concerned there are materials against him and the trial has substantially progressed. Most of the witnesses have been examined. Under such circumstances, we are not inclined to grant bail to the petitioner at this stage. The application for bail is rejected.

However, we direct the learned trial court to conclude the trial as expeditiously as possible preferably within a period of six months from the date of resumption of normalcy.

CRM 6570 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.)