

16.09.2020
Item No.17
Court No.08
Dc/Aj.

Rejected

C.R.M. 6574 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 in connection with Sinthi P.S./D.D. Case No. 183 of 2013 dated 11.11.2013 under Sections 120B/395/397/412/75 of the Indian Penal Code, 1860 and Section 25(1B)(a)/30 of the Arms Act, 1959 (charge-sheet has been submitted under Sections 120B/395/397/412/75 of the Indian Penal Code, 1860 and under Section 25(1B)(a)/30 of the Arms Act, 1959.

And

In the matter of : Md. Salauddin.

... Petitioner.

Mr. Sabir Ahmed,
Mr. S. Sarkar,
Mr. A. Saha,
Mr. F. Ali.

... For the Petitioner.

Mr. Saibal Bapuli,
Mr. Arani Bhattacharyya.

... 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 about 72 years old and is absolutely innocent. He has not been identified in the T.I. parade and there is no recovery of any incriminating material from him.

Learned counsel appearing on behalf of the State opposes the prayer for bail and submits that the petitioner was, in fact, identified in T.I. parade. Initially the accused absconded. That is why there was a delay. The trial has already begun.

Considering the serious nature of allegations, the alleged complicity of the petitioner and the fact that trial has already started, we are not inclined to grant bail to the petitioner at this stage. However, the learned trial court is requested to conclude the trial as expeditiously as possible preferably within a period of one year from the date of normal functioning of the court resumes.

CRM 6574 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.)