

24.09.2020

Sl.No. 15

Ct.No.08

Amalranjan

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION
APPELLATE SIDE**

(Via Video Conference)

CRM No. 6848 of 2020

In re: Kartick Shaw @ Jubia

..... Petitioner

Re: An application for bail under Section 439 of the
Criminal Procedure, 1973.

Mr. Deb Kumar Sharma

..... For the Petitioner

Mr. Madhusudan Sur

Mr. Aniket Mitra

..... For the State.

Re.: CRAN 1 of 2020

The petitioners undertake to affirm and properly 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.

We have heard the submissions of learned counsel appearing for the petitioner and State.

The charge against the petitioner is culpable homicide amounting to murder. The facts are that the occurrence took place in 2010. There were 6 accused persons. The petitioner is one of them. He is said to have been absconding from 2010. He was arrested on 12th June, 2019. In the meantime,

the other 5 co-accused persons were tried and convicted. Their appeal is pending in this court.

According to learned counsel for the State, the investigation against the petitioner was completed in 2011 and chargesheet submitted.

Although, the petitioner is in custody for 470 days, learned counsel for the State submits that he should not be released on bail as he absconded for 9 long years and if he is released on bail he will forthwith abscond once again.

In the above circumstances, the charges should be framed and the trial be commenced and concluded by 31st January, 2021, failing which the learned judge of the court below shall release the petitioner on bail on such terms and conditions as he thinks fit and proper.

Accordingly, CRM 6848 of 2020 is rejected and CRAN 1 of 2020 is disposed of.

(Md. Nizamuddin, J.)

(I. P. Mukerji, J.)