

21-10-2020
k.b/b.r.
Item no.14
Rejected
Crt. No.12

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

C.R.M 7541 of 2020

Sk. Alauddin

-vs-

The State of West Bengal

CRAN 1 of 2020

(Via video conference)

In Re: An application for bail under Section 439 Cr.P.C in connection with Sessions Case No. 33 of 2019 arising out Santiniketan P.S. Case No. 139 of 2018 dated 01.12.2018 under Section 302 of the IPC, 1860.

Mr. Tapadeep Gupta ...for the petitioner.

Mr. Sudip Ghosh
Mr. Apurba Kumar Datta ... for the State.

The advocate-on-record for the petitioner undertakes to affirm and properly stamp the petition as per the rules within one month of resumption of normal functioning of the court. The petition is taken up through video-conference on the basis of such undertaking. Accordingly, CRAN No.1 of 2020 is disposed of.

It is submitted on behalf of the petitioner that the petitioner is the husband of the deceased. The case is based on circumstantial evidence. There is no direct evidence against the petitioner. He is in custody for a long time. Charge sheet has been submitted and therefore he should be released on bail.

Learned P.P.-in-Charge has raised objection against the prayer for bail.

On perusal of the record it is ascertained that previously the prayer for bail of the petitioner was rejected on 2nd July, 2019. Trial of the case has already been commenced. Out of 22 witnesses 11

witnesses have been examined.

At this stage, we are not inclined to release the petitioner on bail.

The prayer for bail is accordingly rejected.

However, trial court is directed to complete the recording of evidence in connection with the criminal case against the petitioner within six months from the date of reopening of the Court after Puja Vacation.

CRM 7541 of 2020 is accordingly disposed of.

All concerned parties shall act in terms of the copy of the order downloaded from the official website of this Court.

[Bibek Chaudhuri, J.]

[Subrata Talukdar, J.]