

17.11.2020
SL No.22
Court No.12
(jks & SB)

CRM 7739 of 2020

(Via Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Santipur** P.S. Case No.**273/2015** dated **26/08/2015** under Sections **302/ 201** of the Indian Penal Code.

And

In the matter of: **Nirapada Halder.**

....Petitioner.

Mr. Angshuman Chakaaborty

...for the Petitioner.

Mr. N. Ahmed,
Mr. Parthapratim Das,

...for the State.

The petitioner undertakes to affirm and stamp the petition/application as per Rules within 48 hours of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing through video conference.

Considering the gravity of the offence and the fact that the trial is commenced, we are not inclined to grant bail to the petitioner at this stage.

We have also noted with concern to the fact that the petitioner is languishing in custody for almost five years during which time only the de facto complainant has been examined.

We direct the learned Additional District Judge, Ranaghat, Nadia to conclude the trial within a period of six months from the date of communication of this order without granting any unnecessary adjournment to either of the parties unless there are unavoidable circumstances. In the event the trial could not be concluded due to reasons not attributable to the petitioner, the petitioner shall be entitled to renew his prayer for bail.

All parties are to act on a website copy of this order on the usual undertaking.

(Saugata Bhattacharyya, J.)

(Soumen Sen, J.)