

20.10.2020
SL No.16
Court No.12
(gc)

CRM 8116 of 2020

(Via Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Parnasree** P.S. Case No.22 of **2020** dated **18/01/2020** under Section **395/120B** of the Indian Penal Code.

And

In the matter of: **Rahul Kumar Ray @ Rahul Rao @ Monu & Anr.**

....Petitioner.

Mr. Ayan Bhattacharya,
Mr. Anand Keshari,
Mr. Sekhar Mukherjee

...for the Petitioners.

Mr. S.G. Mukherjee, Ld. P.P.,
Ms. Sukanya Bhattacharya,
Mr. M.F.A Begg

...for the State.

The petitioners undertake 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.

The learned Counsel for the petitioners submits that they have been falsely implicated in this case and they have been languishing in jail for 266 days.

The learned Counsel for the State, however, opposes the prayer for bail and submits that the ill-gotten money has been recovered from the petitioners and they have been identified in the T.I. Parade. It is further submitted that in the event petitioners are released on bail there is every possibility of absconding and thereby delayed the trial.

Having considered the materials on record and the earlier order of the Coordinate Bench passed on 6th August, 2020 in

CRM 5101 of 2020 in relation to another co-accused, we are not inclined to release the petitioners on bail. The charge-sheet has already been filed and we have been informed that the trial court has fixed the date for framing of charges.

In view of the aforesaid, we dispose of this application and reiterating the observation made by a Coordinate Bench that the trial may be conducted and concluded as early as possible preferably by 31st March, 2021.

The order dated 6th August, 2020 is kept with the record.

Accordingly, the application for bail being CRM 8116 of 2020 is rejected.

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

(Aniruddha Roy, J.)

(Soumen Sen, J.)