

17.11.2020
SL No.45
Court No.12
(gc)

CRM 8139 of 2020

(Via Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Swarup Nagar** P.S. Case No.**608/2019** dated **20.08.2019** under Sections **341/328/307/302** of the Indian Penal Code.

And

In the matter of: **Alpana Ghosh**

....Petitioner.

Mr. Abhijit Mukherjee,

...for the Petitioner.

Mr. N. Ahmed, Ld. A.P.P.,

Ms. A. Gaur,

...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 materials on record made available in the Case Diary and the prima facie involvement of the petitioner in the commission of alleged offence coupled with the fact that in the dying declaration, the victim herself made allegation against the accused, we are not inclined to grant bail to the petitioner at this stage.

However, since the charge-sheet has already been filed, we direct the trial court to conclude the trial preferably within a period of one year from the date of framing of charges. The learned Trial Judge is requested to proceed with the matter as expeditiously as possible without granting any unnecessary adjournment to either of the parties unless there are unavoidable

reasons. In the event, the FSL report has not yet been collected from the FSL, the State is directed to immediately obtain the FSL report and in the event such request is made in this regard to the Director, CFSL, it should make available within one week from the date of communication of this order to the police authorities.

Accordingly, the application for bail being CRM 8139 of 2020 is rejected.

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

(Saugata Bhattacharyya, J.)

(Soumen Sen, J.)