

18.

ASR 19.11.2020

C.R.M. 8647 of 2020

(Via Video Conference)

rejected

In Re : An application for bail under Section 439 of the Code of Criminal Procedure in connection with S.T 37 of 2019 arising out of Chandipur Police Station case No. 82 of 2018 dated 23.4.2018 under sections 395/397 of the Indian Penal Code read with Sections 25/27 of the Arms Act, Corresponding to Charge sheet no. 151 of 2018 under Sections 395/397/120B of the Indian Penal code thereby rejecting the prayer for bail of the petitioners.

**In Re : PRASENJIT MANDAL @ Jayanta @
Ashim Mondalpetitioner**

Mr. Nilangan Sen

.....for the petitioner

Mr. Madhusudan Sur
Mr. Monoranjan Mahato

.....for the State

The advocate-on-record for the petitioners undertakes to affirm and properly stamp the petition as per the rules within forty-eight hours of resumption of normal functioning of the Court. The petition is taken up through video conference on the basis of such undertaking.

The petitioner is in custody for 900 days (nine hundred) on the charge of dacoity.

On 19th December, 2018 this Court rejected his bail application.

On the bail application of a co accused refused on 5th November, 2019, this court directed expeditious trial.

Till date the trial has not been concluded.

11 (eleven) witnesses have been examined.

Considering the fact that the petitioner is in custody for 900 (nine hundred) days, we direct the Court below to conclude the trial positively by 31st March, 2021 failing which it shall grant bail to the petitioner on such terms and conditions as it deem fit and proper.

The application for bail is disposed of accordingly.

(Md. Nizamuddin, J.)

(I. P. Mukerji, J.)