

10-11-2020
Subrata/Rajib
item no.14
rejected

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

C.R.M. No.8779 of 2020
Sk. Illius @ Md. Illiyas
-vs-
The State of West Bengal

In Re: Application under section 439 CrPC in connection with G.R. Case No. 1581 of 2019 arising out of Baguihati P. S. Case No. 226 of 2019 dated June 17, 2019 under sections 302/201/34/120B IPC.

Mr. Ashok Kumar Chowdhury ...for the petitioner

Mr. Swapan Banerjee
Mr. Suman Dey ... for the State

The petitioner undertakes to affirm and stamp the petition as per the Rules within 48 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 claims to be in detention for more than 16 months.

The State says that the previous prayer was rejected in January of this year and there is no change of circumstance since then.

The only ground that the petitioner may cite is the delay in the commencement of the trial. However, in view of the pandemic, no criminal trial has been possible over the last eight months or so.

Considering the material against the petitioner and the previous rejection of the prayer by this court, the prayer for bail is declined.

CRM No.8779 of 2020 is disposed of.

[Arijit Banerjee, J]

[Sanjib Banerjee, J]

