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CRM 9100 of 2020

(Via Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Berhampore P.S. Case No.576 of 2018 dated 28.05.2018 under Sections 5/8 of the Immoral Traffic (Prevention) Act and 4/6 of the POCSO Act.

And

In the matter of: Mamon Bibi @ Nisha Bibi Khatun @ Ranjita Bibi @
Ranjita Chatterjee

....Petitioner.

Mr. Robiul Islam

...for the Petitioner.

Mr. Rana Mukherjee

Ms. Z. N. Khan

Mr. M.F.A. Begg

...for the State.

Petitioner renews his prayer for bail. He submits that there is inordinate delay in trial.

Learned lawyer for the State opposes the prayer for bail and submits that trial could not progress due to pandemic conditions. There are ample materials connecting the petitioner with the crime. Petitioner's prayer for bail was lastly rejected in September, 2020.

It is within the knowledge of the petitioner that hardly any trial proceeding was undertaken in the sessions division where the case of the petitioner was pending. Still then the petitioner sought to take a chance and moved subsequent prayer for bail. Filing subsequent bail application in the present condition where it was within the public knowledge that no trial proceeding was progressing due to

circumstances beyond the control of the prosecution is an attempt in forum hunting and is emphatically deprecated.

With these observations, this application is rejected.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)