

C.R.M. 9186 of 2020**(Via Video Conference)**

In Re : An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with case no. 46/2020 dated 18.05.2020 under section 302 of the Indian Penal Code corresponding to G.R. Case No. 620/2020.

In Re : TAPASH BERA**....Petitioners**

Mr. Dipanjan Chatterjee
Mr. Kalyan Kumar Bhattacharjee
.....for the petitioner
Mr. Saibal Bapuli
Mrs. Sayanti Santra
.....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 only reason why we are not entertaining the application for bail is that a similar application was rejected by this Court on 8th September, 2020 and there is no change of circumstances which is brought to our notice.

The accused is in custody for 189 days on a charge under section 302 of the Indian Penal Code.

The charge-sheet was submitted on 14th August, 2020.

However, we observe that if by January, 2021 the prosecution is not able to show any positive steps towards

prosecution of the accused, he will be at liberty to approach the Court once again on and from February, 2021 for consideration of his prayer of bail.

CRM 9186 of 2020 is disposed of.

(Md. Nizamuddin, J.)

(I. P. Mukerji, J.)