

November 12, 2020
srm/ARDR
(Serial No. 47)
Rejected

CRM 9308 of 2020

(Via Video Conference)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kalyani Police Station case no. 271 of 2015 dated 28/04/2015 under Sections 395/397/120B of the Indian Penal Code read with Section 27 of the Arms Act.

In Re : Neeraj Kumar Baraily @ Neraj Kumar Baraily,
... petitioner
Ms. Ankita Dey,
.....for the petitioner
Mr. Neguive Ahmed,
Ms. Manisha Sharma,
....for the State.

The only ground that appears to be urged is the delay in completion of the trial. The petitioner in this is charged with having committed dacoity. By an order dated June 22, 2020 the previous prayer was rejected and the Court observed that the petitioner was trying to take advantage of the limited functioning of Court to make an undeserving prayer.

Since there is no change in the circumstances after the previous rejection of the petitioner's prayer, the request for bail cannot be acceded to.

The petitioner will remain restrained for a period of six months after the lockdown is completely lifted to apply again for bail if the trial is not completed by then.

CRM 9308 of 2020 is disposed of.

(Arijit Banerjee, J.)

(Sanjib Banerjee, J.)