

08.03.21 In re: An application for bail under Section 439 of the Code of Criminal
(S.R.) Procedure filed in connection with **Serampore Women** Police Station
Sl.21 Case **No.13 of 2020** dated **17.03.2020** under Sections
Ct.28 **376(2)(f)/506/328** of the Indian Penal code, 1860 (G.R. Case **No.472**
of 2020);

And

In re: Partha Talukdar

... petitioner.

Mr. Naba Kumar Das

Mr. Pathik Bandhu Banerjee

... for the petitioner.

Mr. Saswata Gopal Mukherjee, Ld.PP

Ms. Sujata Das

...for the State.

The learned advocate appearing for the petitioner submits that the petitioner is in custody for about 270 (two hundred and seventy) days and till date after submission of charge sheet there has been no progress in the case except for the purpose of being committed to the court of sessions. The learned advocate further submits that the date of framing of charge is fixed since the month of December, 2020, however, till date no charge has been framed as the report of the expert is awaited by the learned trial court.

Mr. Mukherjee, learned public prosecutor appearing for the State produces the case diary and draws attention of this Court to the earlier orders passed.

We have perused the materials available in the case diary more, particularly, the statements of the different witnesses and also relied upon the earlier orders which have been enclosed along with the bail application.

Having regard to the totality of the circumstances and the fact that the petitioner happens to be a teacher being the head of the department of Botany of a college, we are of the opinion that this is not

a fit case for releasing the petitioner on bail.

However, the learned trial court is directed to take steps so that the investigating agency produces the report of the Director (in-charge) Cyber Forensic and Digital Examiners Laboratory, Kolkata within a specified period of time so that the learned trial court can reach the stage of consideration of charge.

With the aforesaid observations, the application for bail being CRM No.692 of 2021 is disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)