

08.03.2021
Court No.28
rpan / 22

C.R.M. 695 of 2021
(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure in connection with Harwood Point Coastal Police Station Case No.140 of 2019 dated 09.06.2019 under Sections 363/365 of the Indian Penal Code and read with Section 6 of the Protection of Children from Sexual Offences Act, 2012.

And

In Re : **Sri Biswajit Das**

...Petitioner.

Mr. Satadru Lahiri,

Mr. Partha Sarathi Mondal

....for the petitioner.

Mr. Binay Panda,

Mr. S. Bhakat

... for the State

Mr. Lahiri, learned advocate for the petitioner submits that the petitioner is in custody for one year and three months and although the charge-sheet was submitted on or about 28th January, 2020 but till date neither charge has been fixed nor there has been progress of the case in any manner. The learned advocate further submits that on any condition the petitioner may be released on bail as there is no scope of progress of the trial.

Mr. Panda, learned advocate appearing for the State disputes the submission of the learned advocate for the petitioner and submits that the next date is fixed on 15th March, 2021 for recording of evidence.

We have perused the earlier order passed in CRM 6237 of 2020 on 4th September, 2020 wherein it has been categorically recorded that the petitioner will be at liberty to approach this Court only after the deposition of the victim girl is recorded by the learned Trial Court. We do not find any change of circumstances

or any adherence to the earlier order passed by a co-ordinate Bench of this Court. Accordingly, the prayer for bail of the petitioner is rejected at this stage.

We reiterate that the petitioner will be at liberty to approach this Court after the evidence of the victim girl is over.

With the aforesaid observations, CRM 695 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.)