

16.04.2021
Item no.20
Court No.28
Avijit Mitra

C.R.M. 1392 of 2021 (through video conference)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure, 1973 filed in connection with Special Task Force, Kolkata Police Station Case No.1 of 2014 dated 28.01.2014 under Sections 120B/121/121A/127 of the Indian Penal Code read with Section 25(1B)(a) of Arms Act read with Sections 18/20/39 of Unlawful Activities (Prevention) Act;
And

In Re : Anup Roy @ Ashok @ Ashok Da @ Susanta Majumdar

.... Petitioner

Mr. Arindam Jana,
Mr. Sarosij Dasgupta
...for the petitioner

Mr. S.G. Mukherjee, Ld. P.P.,
Mr. Nequive Ahmed,
Ms. Trina Mitra
...for the State

The report filed by the learned Public Prosecutor in terms of our earlier order is taken on record.

We have perused the report. We find that four witnesses were examined but examination-in-chief of P.W.4 although complete but his cross-examination could not be done due to his unavailability. We find the tardy progress in the trial. The petitioner is in custody for about 7 ½ years.

We direct the learned Trial Court to conclude the examination of all the witnesses by framing a time schedule preferably within a period of one year from date. In the event the trial do not progress for reasons not attributable to the petitioner, the petitioner shall be entitled to renew his prayer for bail.

This order shall be immediately communicated to the learned Chief Judge, City Sessions Court, Calcutta for information and doing the needful.

The prayer for bail of the petitioner is rejected.

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

(Tirthankar Ghosh, J.)

(Soumen Sen, J.)