

CRM No.1713 of 2021
Via video conference

20.04.21

(S.R.)

Sl.25

Ct.28

In re: An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Belghoria Police Station Case No.960 of 2017 dated 09.11.2017 under Sections 366A/370/370A/376/109/210B of the Indian Penal Code and under Sections 3/4/5/6/7/9 of the Immoral Traffic Prevention Act and under Sections 17/18 read with Section 4 of the POCSO Act;

And

In re: Smt. Tinku Senapati @ Manti ... for the petitioner.

Mr. Prantick Ghosh

... for the petitioner.

Ms. Faria Hossain

Mr. Aniket Mitra

...for the State.

The learned advocate for the petitioner submits that due to miscommunication with the lawyer the petitioner could not attend the Court and as such he was taken into custody and since June 2019 he is in custody and there has been no progress in the case.

Mr. Mitra, learned advocate for the State opposes the prayer and draws the attention of this Court to the order dated 23.07.2019 passed in CRM No.6426 of 2019. We have perused the materials and we have also concurred with the view expressed by a coordinate bench regarding the involvement of the petitioner in the alleged offence. It has further been submitted that out of 31 witnesses proposed to be examined 13 witnesses have already been examined and the schedule is fixed on and from 26th April, 2021. Learned advocate has also drawn the attention of this Court to the order passed in CRM No.8939 of 2020. It has been directed upon the learned trial Court to take steps for completing the trial within a period of six months. The said order was passed on 24th November, 2020 in CRM No.8939 of 2020. We find that the said period is yet to be completed.

Having regard to the stage of the case, progress of the trial and the period, which is yet to be completed for concluding the trial, We are of the opinion that this is not a fit case for extending the privilege of bail to the present petitioner.

Accordingly, the application for bail being CRM No.1713 of 2021, 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.)

(Tapabrata Chakraborty, J.)