

28.07.2021

(Via Video Conference)

Court No. 28
Item No. PB - 21
nandy

CRM 3184 of 2021

(bail - rejected)

In Re: An application for **Bail** under Section **439** of the Code of Criminal Procedure filed on 07.04.2021 in connection with Katwa Police Station Case No. 355 of 2019 dated 18.07.2019 under Sections 302/34/120B of the Indian Penal Code. (G.R. Case No. 610 of 2019)

and

In the matter of: **Nayan Pal @ Prabir Pal**

..... Petitioner

Mr. Anirban Mitra, Advocate

Mr. Sunil Kumar De, Advocate

Mr. Saberi Saha, Advocate

Mr. Amit Halder, Advocate

.....for the Petitioner

Mr. Neguive Ahmed, Advocate

Mr. Md. Anwar Hossain, Advocate

Ms. Amita Gaur, Advocate

..... for the State

Advocate-on-record of the petitioner undertake to affirm and stamp the petition/application as per the Rules within four weeks from date. Subject to such undertaking the application is taken up for hearing.

The petitioner has filed the instant application for bail in connection with Katwa Police Station Case No. 355 of 2019 dated 18.07.2019 under Sections 302/34/120B of the Indian Penal Code.

The petitioner is in custody for the last 740 days in connection with the afore-mentioned case. The case has committed to trial and in fact, chargesheet has been submitted and charges have been framed. Despite the same, not a single witness has been examined as yet.

After perusal of the materials-on-record, we are of the opinion that it is not a fit case where the accused should be enlarged on bail.

Hence, the prayer for bail is **rejected**.

The application being **CRM 3184 of 2021** accordingly **dismissed**.

However, we direct the trial Court to fix a date for recording evidence of the chargesheeted witnesses which should not be beyond one month from the date of communication of this order and thereafter, to fix a date under Section 309 of the Code of Criminal Procedure to bring the case to its logical end as early as possible.

(Harish Tandon, J.)

(Bibek Chaudhuri, J.)