

16.08.2021
Item no.58.
Court No.32.
AB
(Rejected)

(Via Video Conference)

CRM No. 3801 of 2021

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 28.05.2021 in connection with Howrah Police Station Case No.83 of 2018 Dated 23.2.2018 under Section 302 of the Indian Penal Code

And

**In the matter of : Avijit Bhowmik @ Avijit Bhowmick
@ Abhijit Bhowmik**

.....Petitioner.

Mr. Prabir Kumar Mitra,
Mr. Pinak Kumar Mitra,
Mr. Ranjit Singhfor the Petitioner.

Mr. S. G. Mukherjee, Ld. PP,
Ms. Faria Hossain,
Mr. Aniket Mitrafor the State.

The petitioner has been accused of murder. The petitioner's earlier prayer for bail was rejected by a Coordinate Bench of this Court by an order dated November 27, 2020 passed in CRM No.9380 of 2020. While rejecting the petitioner's prayer, the Bench had directed the Trial Court to expedite the trial and conclude the same at an early date and preferably within a period of one year from the next date fixed before the Trial Court without granting any unnecessary adjournment to either of the parties.

The period of one year has not yet elapsed. The petitioner says that no significant progress has taken place in the trial after the aforesaid order of rejection was passed.

The State says that charges have been framed. Witness action is due to start.

We cannot lose sight of the fact that due to the pandemic, the trials in all the learned Courts below have been handicapped to a substantial extent. Further, on an overall assessment of the material on record, we are not inclined to allow the petitioner's prayer, at this stage.

The prayer for bail stands rejected.

CRM No.3801 of 2021 is, accordingly, dismissed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)