

(Via Video Conference)

CRM 3821 of 2021

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Serampore Police Station** Case No. **406 of 2015** dated **29.08.2015** under Sections **302/201** of the Indian Penal Code.

- A n d -

In the matter of : Samaresh Sarkar

.... Petitioner.

Mr. M. Mukherjee, Sr. Adv.
Mr. S. Ganguly,
Mr. D. Sardar,
Mr. S. Ganguly,

... For the Petitioner.

Mr. N. Ahmed,
Mr. A. Hossain,
Mr. T. Mitra,

... For the State.

The petitioner is in custody for more than 6 years and renews his prayer for bail. His earlier prayer was rejected vide order dated 28.02.2017 in CRM 1516 of 2017 passed by a coordinate Bench. It is submitted on behalf of the petitioner that the petitioner has no nexus with the alleged offence and has been falsely implicated.

The State vehemently opposes the prayer for bail and refers to the case diary including the statements of witnesses which expressly implicate the petitioner.

We have considered the material in the case diary. The allegation against the petitioner is extremely serious in nature and the material in the case diary suggests prima facie involvement of the petitioner in the alleged crime. Having considered the material available before us and the nature

and gravity of the case, we are not inclined to grant bail to the petitioner at this stage.

However, considering the protracted period of detention of the petitioner and also as it is submitted that 31 out of 48 witnesses have been examined, we request the learned Trial Court to expedite the trial and bring the same to its logical conclusion as early as the business of the Court may permit and preferably within a period of one year from date.

Accordingly, CRM No. 3821 of 2021 is disposed of.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)