

09.08.2021

CRM 4116 of 2021

Court No.28
Item No. PB - 28
nandy

(BAIL – REJECTED)

In Re:- An application for **Bail** under Section **439** of the Code of Criminal Procedure filed on 14.06.2021 in connection with Shyampur Police Station Case No. 420 of 2016 dated 19.11.2016 under Sections 302 of the Indian Penal Code. (Sessions Trial No. 40(U) of 2017)

and

In the matter of: **Goutam Mahato**

.....Petitioner

Ms. Devipriya Mitra, Advocate

.....for the Petitioner

Mr. Neguive Ahmed, Advocate

Ms. Amita Gaur, Advocate

.....for the State

The petitioner has filed the instant application for bail in connection with Shyampur Police Station Case No. 420 of 2016 dated 19.11.2016 under Sections 302 of the Indian Penal Code.

Previously, the prayer for bail of the accused-petitioner was rejected at least on four occasions. We have heard the learned Advocate for the petitioner. Prayer for bail is pressed basically on the ground of long detention of the accused in custody. However, it is found from the record that oral evidence of almost all the witnesses is over. Due to lockdown the case could not be further proceeded with.

Considering the gravity of the offence, we are not inclined to release the petitioner on bail.

As such, the prayer for bail is **rejected**.

The application being **CRM 4116 of 2021** is accordingly **dismissed**.

The learned Advocate of the petitioner has given

undertaking that the petitioner's Advocate in the trial Court shall participate regularly in day's hearing to conclude the trial expeditiously.

In view of such undertaking, the learned trial Judge is directed to conclude the recording of evidence of the witnesses on behalf of the prosecution within eight months from the date of communication of this order and come to a logical conclusion of this case and shall reject any prayer for adjournment except in exceptional circumstances.

(Harish Tandon, J.)

(Bibek Chaudhuri, J.)