

23.08.2021

Court No.28
Item No.55
(REJECTED)

Ab

CRM 4306 of 2021
(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed on 23.06.2021 in connection with Burtolla Police Station Case No. 12 of 2016 dated 11.01.2016 under Sections 120B/366A/366B/370/372/373 of the Indian Penal Code read with Sections 3/4/5/6/7 of the Immoral Traffic (Prevention) Act;

And

In the matter of : **Subhasis Mukherjee**

...Petitioner.

Mr. Tanmoy Chowdhury.

...For the Petitioner

Mr. Sudip Ghosh,
Mr. Bitasok Banerjee,

... For the State.

The Advocate-on-record of the petitioner undertakes 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 under Section 439 of the Code of Criminal Procedure after being arrested in connection with Burtolla Police Station Case No. 12 of 2016 dated 11.01.2016 under Sections 120B/366A/366B/370/372/373 of the Indian Penal Code read with Sections 3/4/5/6/7 of the Immoral Traffic (Prevention) Act.

The earlier applications for bail filed by the petitioner got rejected by this Court because of the prima facie complicity of the petitioner to the alleged offence. However, an observation was made in one of such order that the trial was at the verge of completion except recording the evidence or the deposition of the Investigating Officer.

It is informed to us that the evidence of the Investigating Officer had been completed and next date is fixed on 15th September 2021 for recording of the statement of the accused under Section 313 of the Code of Criminal Procedure.

Virtually the trial is complete. We, therefore, request the trial court to take up the matter on the date so fixed and complete the exercise required under Section 313 of the Code of Criminal Procedure and endeavour shall be shown to bring the case to its logical conclusion within one month after reopening of the trial court following Puja Vacation.

In view of the observations made herein above, the application for bail being CRM 4306 of 2021 is **rejected**.

(Harish Tandon, J)

(Bibek Chaudhuri, J.)