

02.09.2021
Item no. 59
Court No.32.
S.De.
(rejected)

(Via Video Conference)

CRM 4472 of 2021

In Re: An application for Bail under Section 439 of the Code of Criminal Procedure filed on 01.07.2021 in connection with Baishnabnagar Police Station Case No. 399 of 2020 dated 05.08.2020 under Sections 489(B)/489(C)/120B of the Indian Penal Code.

And

In the matter of : Idu Sk. & Another.

.....Petitioners.

Mr. Amitabha Karmakar, Advocate,
Mr. Arup Kr. Bhowmick, Advocate,

.....for the Petitioners.

Mr. Binoy Panda, Advocate,
Ms. Puspita Saha, Advocate,
Mr. S. Bhakat, Advocate,

.....for the State.

The petitioners have been accused of dealing in/possessing fake Indian Currency Notes. The charges are under Sections 489(B)/489(C)/120B of the Indian Penal Code.

The petitioners say that they have been falsely implicated. No independent witness was present when the seizure took place.

The State says that the trial is in progress. Three witnesses have already been examined and only four witnesses remain to be examined. 7th and 8th September, 2021 have been fixed as the next dates for recording of evidence.

We have seen the material in the case diary. Given the nature of the offence and on a prima facie assessment of the material in the case diary, we are of the view that the petitioners should not be enlarged on bail, at this stage.

CRM 4472 of 2021 is dismissed.

However, given that the petitioners have been in custody for more than one year, we request the learned Trial Court to expedite the trial as far as possible and bring the same to its logical conclusion as early as possible and preferably, within a period of one year from date.

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

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)