

68. 02.09.2021

Ct.32

Tanmoy

Rejected

C.R.M. 4540 of 2021

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **01/07/2021** arising out of **Indas Police Station Case No. 229 of 2019** dated **05/11/2019** under Sections **448/323/354B/302/379/120B** of the Indian Penal Code.

And

In the matter of: - **Suman Chattopadhyay**

....petitioner.

Mr. Debasish Roy,
Mr. Avik Ghatak,
Mr. Rishabh Dutta Gupta

...for the petitioner.

Md. Anwar Hossain,
Ms. Sreyashee Biswas

...for the State.

The petitioner renews his prayer for bail which was rejected by a co-ordinate Bench of this Court by an order dated December 17, 2020 passed in C.R.M. 9718 of 2020.

The petitioner says that he has been falsely implicated in the matter. The post mortem report would not support the case of the Prosecution. Nothing is happening in the trial Court. He is in custody for about one and half years.

We have seen the material in the Case Diary including the statements of witnesses and the statement of the mother of the deceased child. *Prima facie*, there is enough material to implicate the petitioner. We are not inclined to allow the petitioner's prayer for bail at this stage.

Accordingly, the application for bail being C.R.M. 4540 of 2021 is **dismissed**.

However, considering the period of detention of the petitioner, we request the learned trial Court to expedite the consideration of charges and generally bring the trial to an early conclusion preferably within a period of 18 months from date.

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

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)