

28.09.2021
Item no. 24
Court No.32.
S.De.
(Rejected)

(Via Video Conference)

CRM 4637 of 2021

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 08.07.2021 in connection with Sarsuna Police Station Case No. 99 dated 28.09.2017 under Sections 302/34 of the Indian Penal Code.

And

In the matter of : Pappu Kumar.

.....Petitioner.

Mr. Biplab Mitra, Advocate,
Mrs. Trina Mitra, Advocate,

.....for the Petitioner.

Mr. Madhusudan Sur, Ld. A.P.P.,
Mr. Dipak Paramanick, Advocate,

.....for the State.

The petitioner renews his prayer for bail which was rejected by an order dated September 21, 2020 passed in CRM 6685 of 2020.

The petitioner says that he has been in custody for about four years. There is absolutely no evidence on record so far on the basis of which the petitioner can be convicted. There is no eyewitness. There is no direct evidence.

The State says that twenty two out of twenty three witnesses have been examined. The trial is expected to be concluded at an early date.

The petitioner says that the Trial Court is vacant as the Judicial Officer has been transferred elsewhere.

In view of the gravity of the charge and keeping in mind the earlier rejection and also that twenty two out of twenty three witnesses have been examined, we are not inclined to allow the petitioner's prayer for bail.

However, since the petitioner has been in custody for a very long period of time, we request the learned Trial Court to bring the trial to an early conclusion and preferably, within six months from date.

The petitioner will be at liberty to apply to the learned District Judge for appropriate orders including transfer of the case to another Bench so that this order requesting early disposal of the trial can be given effect to.

CRM 4637 of 2021 is, accordingly, dismissed.

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.)