

21.12.2021
Court No.32
Item No. 235
Avijit Mitra

C.R.M. 5920 of 2021

In Re:- An application for bail under section 439 of the Code of Criminal Procedure;

And

In Re : Sanjoy Das

Petitioner

Mr. Prabir Majumder

..For the Petitioner

Mr. Saibal Bapuli,
Mr. Bibaswan Bhattacharya

...For the State

After languishing in custody for more than 7 years, the present application is filed in connection with Hanskhali Police Station Case No.477 of 2014 dated 04.08.2014 under Sections 364A/302/120B of the Indian Penal Code.

Mr. Majumder, learned lawyer representing the petitioner submitted, that the petitioner is in custody for more than 7 ½ years. Some other co-accused are on bail on the same ground of parity. He prays for grant of bail. However, he candidly admits that the trial is in progress.

Per contra, learned lawyer representing the State Mr. Bapuli submitted, that the matter is fixed for defence argument and delivery of judgment. According to him, it is not the right case to grant bail at this advanced and penultimate stage of the trial. Mr. Bapuli also filed a report on progress of the trial. Let the report be kept in record.

We have heard the rival submissions. We direct the learned Trial Court to dispose of the trial within a period of one month from the date of communication of this order. Since the trial is in the final stage and the allegation is grave and serious, we are not inclined to grant bail and the same is rejected.

A copy of this order be communicated to the learned Trial Court through Registry.

Accordingly, the application for bail, being CRM No. 5920 of 2021 is dismissed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Sugato Majumdar, J)

(Tapabrata Chakraborty, J)