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(AD) 08.12.2021

C.R.M. 6138 of 2021
(Via Video Conference)

Court No.28

(Rejected)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Tehatta** P.S. Case No.**532/19** dated **15/11/2019** under Sections **302/120B** of the Indian Penal Code.

And

In the matter of: Mahitosh Ghosh alias Mohitosh Ghosh

....petitioner.

Mr. Sekhar Kumar Basu, Sr. Adv.

Mr. Kusal Kumar Mukherjee

Ms. Suchismita Dutta

Ms. Prinidhi Singh

...for the petitioner.

Mr. Swapan Banerjee

Ms. Purnima Ghosh

... for the State.

It is submitted on behalf of the petitioner that he has been falsely implicated in the instant case. He is in custody for 677 days.

Learned Advocate appearing for the State opposes the prayer for bail and submits that his prayer for bail was rejected in July, 2021 and the matter has been fixed for consideration of charge before the trial court.

We have considered the materials on record. Prayer for bail was rejected in July, 2021 and date has been fixed for consideration of charge.

In view of the aforesaid development, we are of the opinion revisiting the issue of grant of bail is inadvisable at present.

Accordingly, the prayer for bail of the petitioner is rejected.

Trial Court is directed to consider the issue of framing of

charge at the earliest preferably within one month from the date of communication of this order and in the event the charges are framed take the proceeding to its logical conclusion without granting unnecessary adjournment.

C.R.M. 6138 of 2021 is, thus, dismissed.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)