

597
(AD) 24.11.2021

Court No.29

(Rejected)

C.R.M. 6456 of 2021
(Via Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 24/09/2021 in connection with **Bolpur** P.S. Case No.**245** of **2016** U/D Case No.172 of 2016 dated **14/08/2016** under Sections **166/167/323/325/342/343/304/201** of the Indian Penal Code.

And

In the matter of: Prabir Kumar Dutta

....petitioner.

Mr. Ayan Bhattacharya

Ms. Sayanti Mukherjee

...for the petitioner.

Mr. Saswata Gopal Mukherjee, Ld.PP

Ms. Faria Hossain

Ms. Baisali Basu

... for the State.

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner is in custody for 382 days. There is no prospect of an early conclusion of the trial since the charges are yet to be framed.

Learned Public Prosecutor submits on instructions that it was the petitioner who was preventing the framing of charges. More over, according to him, the pandemic affected the functioning of the Court preventing expeditious trial.

Considering the materials in the case diary and considering the involvement of the petitioner in the incident, we are unable to grant bail to the petitioner at this stage.

However, we request the Court in *seisin* to frame the charges as expeditiously as possible and preferably by the next date fixed for such purpose. The Court in *seisin* is also

requested to proceed with the trial as expeditiously as possible.

Accordingly, the prayer for bail is rejected.

C.R.M. 6456 of 2021 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)