

21.12.2021
Court No.32
Item No. 256
Tanmoy
Bail Rejected

**C.R.M. 7061 of 2021
(Via video Conference)**

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Special Case No. 19 of 2020 arising out of Harirampur Police Station Case No. 120/2020 dated 26.07.2020 under Sections 417/420/468/471/419/467/474 of the Indian Penal Code read with Section 12 of the Prevention of Corruption Act, 1988.

And

In re: **Chandan Kumar Mohanta**

...Petitioner.

Mr. Sayan De,
Mr. Bibaswan Bhattacharya,
Mr. Sayan Kanjilal,
Mr. Kaustav Shome

... For the Petitioner.

Mr. Swapan Banerjee,
Mr. Suman De

...For the State.

Mr. Bhattacharya, learned advocate appearing for the petitioner submits that the petitioner is languishing in custody for more than fifteen months and there is also no possibility towards conclusion of the trial in the near future. He further submits that the petitioner is suffering from several ailments and as such, he may be enlarged on bail on any stringent condition.

Mr. Banerjee, learned advocate appearing for the State, opposes the petitioner's prayer and submits that trial has already commenced and as regards the medical condition of the petitioner, he files a report wherefrom it appears that the petitioner is having Type 2 Diabetes Mellitus with hypertension

with diabetic Neuropathy and referred to Neurosurgery OPD for back pain. Let such report be kept on record.

Heard the learned advocates appearing for the respective parties and considered the materials in the case diary and the medical report.

Record reveals that the petitioner's prayer was last rejected by a co-ordinate Bench of this Court on 9th of April, 2021 and we do not find any substantial change in the circumstances subsequent thereto. Considering the nature of accusations and the extent of complicity of the petitioner, we are not inclined to exercise discretion in his favour at this stage.

However, this Court directs the learned Court below to conclude the trial as expeditiously as possible without granting any unnecessary adjournment to either of the parties.

The application for bail, being CRM No.7061 of 2021, is, accordingly, disposed of.

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.)