

17.03.2021

CRM 9276 of 2020

Court No. 28  
Item No. 12  
snandy

(REJECTED)

In Re: An application for **Bail** under Section **439** of the Code of Criminal Procedure filed on 10.11.2020 in connection with Raghunathganj Police Station Case No. 322 of 2018 dated 12.07.2018 under Sections 489B/489C of the Indian Penal Code. (G.R. Case No. 1082 of 2018)

and

In the matter of: **Ansarul Mondal @ Appel Mondal @ Apple Mondal**  
..... Petitioner

**Mr. Sumanta Chakraborty, Advocate**

.....for the Petitioner

**Mr. Prasun Kumar Dutta, Advocate**

**Mr. Nirupam Dhali, Advocate**

..... for the State

The petitioner has filed the instant application for bail in connection with Raghunathganj Police Station Case No. 322 of 2018 dated 12.07.2018 under Sections 489B/489C of the Indian Penal Code.

The learned Advocate of the petitioner submits that the petitioner is in custody since July 12, 2018 and earlier there were rejections of bail prayer by this Court in CRM 3945 of 2019 and CRM 1356 of 2020. The learned Advocate draws our attention to the order dated October 16, 2020 passed by the learned Additional District & Sessions Judge, FTC-II, Jangipur, Murshidabad and submits that so far as the merit of the case is concerned, similarly situated co-accused persons have been granted interim bail. Since the petitioner approached this Court earlier, his prayer for bail has been rejected by the trial Court.

The learned Advocate for the State opposes the prayer for bail and submits that there are recoveries from the possession of the petitioner and charges have already been framed but trial could not be proceeded in a smooth manner despite Court's order due to intervention of the pandemic.

We have perused the order relied upon by the learned Advocate for the petitioner which has been placed before us, we find that the trial could not be completed pursuant to the order dated February 7, 2020 passed in CRM 1356 of 2020 within a period of one year due to

pandemic. We have been informed that the next schedule of the case has been fixed by the trial Court on May 21, 2021 and we have also been informed that the trial Court is functioning normally. Having regard to the present circumstances, we are of the opinion that the same reasons for which other co-accused has been granted bail, do not apply in case of the present petitioner at this stage of the trial. Therefore, we are not inclined to release the petitioner on bail.

Accordingly, the prayer for bail is **rejected**.

The application being **CRM 9276 of 2020** is **dismissed**.

**(Harish Tandon, J.)**

**(Tirthankar Ghosh, J.)**