

07.07.2021
Item no.46
Court No.30
Avijit Mitra

C.R.M. 10091 of 2020 (through video conference)

In Re:- An application for bail under Section 439 of the
Code of Criminal Procedure, 1973;
And

In Re : Sk. Kalam

.... Petitioner

Mr. Soumya Basu Roy Chowdhury

...for the petitioner

Mr. Saswata Gopal Mukherjee, Ld. P.P.,

Mr. N. Ahmed,

Md. Anwar Hossain,

Ms. Amita Gaur

...for the State

The present application has been preferred in connection with Sinthi Police Station Case No.52 of 2016 dated 04.05.2016 under Sections 395/397 of the Indian Penal Code.

Mr. Basu Roy Chowdhury, learned advocate appearing for the petitioner submits that the petitioner is languishing in custody for 5 years 2 months and there is no possibility towards early conclusion of the trial. In view thereof, further detention of the petitioner is not warranted.

Mr. Ahmed, learned Additional Public Prosecutor appearing for the State opposes the petitioner's prayer and submits that the petitioner was identified in the T.I. Parade and that only two more witnesses are left for examination. The next date before the learned Trial Court has been fixed on 25th August, 2021.

He further submits that the prayer for bail of a co-accused person had been rejected by this Court on 28th June, 2021 in CRM 10162 of 2020.

We have heard the learned advocates appearing for the respective parties. It appears that there had been a substantial progress in the trial. Considering the gravity of the offence and the extent of involvement of the petitioner in the alleged crime, we are not inclined to exercise any discretion in favour of the petitioner. Accordingly, the petitioner's prayer for bail is rejected at this stage.

However, learned Court below is directed to conclude the trial as expeditiously as possible without granting any unnecessary adjournments to either of the parties.

The application being C.R.M. No.10091 of 2020 is dismissed.

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

(Suvra Ghosh, J.)

(Tapabrata Chakraborty, J.)