

17.03.2021

CRM 10671 of 2020

Court No.28
Item No.26
(Rejected)

akd

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed on 14.12.2020 in connection with Barasat Police Station Case No. 695/2018, dated 24.09.2018 under Sections 394/397/412 of the Indian Penal Code read with Sections 25/27 of the Arms Act and Sections 14/14A(b)/14C of the Foreigners Act.(G.R. Case no. 3081/2018)

And

In the matter of : **Mukul Mallick.**

...Petitioner

Mr. Sumanta Chakraborty.

...For the Petitioner

Mr. Rudradipta Nandy.

...For the State.

The petitioner has filed the instant application for bail under Section 439 of the Code of Criminal Procedure after being arrested in connection with Barasat Police Station Case No. 695/2018 under Sections 394/397/412 of the Indian Penal Code read with Sections 25/27 of the Arms Act and Sections 14/14A(b)/14C of the Foreigners Act.

Learned Advocate appearing for the petitioner submits that the petitioner is languishing in jail since 24th September, 2018 and there has been no progress in the case since an order was passed in CRM 6823 of 2019 on 11th September, 2019. Additionally, the learned Advocate submits that some incriminating articles of jewellery shop were recovered from the possession of the petitioner and the improvised fire arm was not recovered from the present petitioner.

Learned Advocate for the State opposes the prayer for bail and submits that charge has already been framed and the date for evidence has been fixed.

We have perused the case diary and the materials on record and also considered the earlier order passed by a Co-ordinate Bench of this Court in CRM 6823 of 2019.

Having regard to the exceptional circumstances, which arose in the year 2020, we find that some progress is made in the case and as such we are not inclined to release the petitioner on bail at this

stage when the evidence has already commenced.

Accordingly the application for bail, being CRM 10671 of 2020, is thus dismissed.

However, the learned Trial Court is requested to take steps so that the matter progresses in a smooth manner and comes to a logical conclusion within a reasonable time.

(Harish Tandon, J)

(Tirthankar Ghosh,J.)