

4.1.2021
Item no. 7
Ct.5
G. S. Das

CRM 10721 of 2020

In Re:- An application for bail under section 439 of the Code of Criminal Procedure in connection with Sessions Trial Case No. 01(09)15 arising out of Entally Police Station Case No. 107 of 2014 dated 08.03.2014, under Sections 302/307/394/34 of the Indian Penal Code.

And

In the matter of:-

Sudha Das @ Sudha Halder @ Teli

... Petitioner

Ms. Rimpay Mukherjee
Mr. Sourav Bhattacharyya

.. for the petitioner

Mr. Nequive Ahmed
Ms. Amita Gaur

..for the State

Ms. Mukherjee, Learned Counsel, with Mr. Bhattacharyya, Learned Advocate, appears for the petitioner and prays for bail.

It is submitted that the petitioner is in custody for the past six years. It is submitted and, such also appears from the records that the Sessions Trial connected to the criminal case in issue, being Entally Police Station Case No. 107 of 2014 dated 08.03.2014 is now in progress.

It is pleaded at paragraph 6 of this application for bail that out of 22 witnesses only 11 witnesses have been examined and cross-examined by the prosecution till date.

Mr. Ahmed, Learned Additional Public Prosecutor (APP) submits that the trial is in progress and the evidence of only two more prosecution witnesses remains to be completed.

It is the further submission of the Learned APP that the petitioner was absconding for long and her trial could proceed only after her arrest.

Such submission is however disputed by the Learned Counsel for the petitioner.

Having heard the rival submissions and considering the materials placed, this Court, having regard to the ongoing trial, is not persuaded to grant bail to the petitioner. Accordingly the prayer for bail stands **Rejected**.

However, the Learned Trial Court is requested to expedite the trial subject to its board.

CRM 10721 of 2020 stands thus **disposed of**.

Parties to act on a server copy of this order, duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Xerox certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Subhasis Dasgupta, J.)

(Subrata Talukdar, J.)