

16.03.2021.
21.
as
(Rejected)

C.R.M. 11132 of 2020

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kaliachak P. S. Case No.379 of 2017 dated 11.05.2017 under Sections 489B/489C/109 of the Indian Penal Code.

In the matter of : Kamal Sk.

.... Petitioner.

Mr. Sandipan Ganguly, Sr. Adv.,
Mr. Amarendra Chakraborty.

...for the Petitioner.

Mr. Sanjay Bardhan,
Mr. Palash Ch. Majhi.

...for the State.

This is an application for bail in connection with Kaliachak P. S. Case No.379 of 2017 dated 11.05.2017 under Sections 489B/489C/109 of the Indian Penal Code at the behest of the petitioner.

It is submitted by the learned Advocate appearing for the petitioner that he has been falsely implicated in connection with the aforesaid case and one after another, several cases have been lodged against him for no reasons and rhymes. It is submitted that the petitioner is languishing in jail for nearly 180 days and, therefore, should be enlarged on bail.

The learned Advocate appearing for the State opposes the prayer for bail. It is submitted that the petitioner has the

antecedent of various commission of offences and the counterfeit notes were recovered from the house of the petitioner and the case has been committed to sessions trial and in fact, substantial progress has been shown therein. The learned Advocate appearing for the State arduously submits that the petitioner was absconding for nearly three years.

After hearing the respective Counsels and upon perusal of the materials produced before us including the Case Diary, we find that several cases have been initiated against the petitioner. Though in some of the cases, petitioner is enlarged on bail but in our view that does not mean that the petitioner should be treated in a similar fashion. Different cases stand on its own merit and to be judged separately.

We have seen that substantial progress is made in the instant case and in fact, the evidences have been recorded and, therefore, we hope that the same would be brought to its logical conclusion at the earliest. We do not find that it is a fit case where the petitioner should be enlarged on bail.

Accordingly, the prayer for bail of the petitioner is rejected.

However, we request the learned Judge to expedite the case and bring it to its logical end at the earliest.

(Harish Tandon , J.)

(Tirthankar Ghosh, J.)

