

21.09.2021
Court No.01
Item No. 07
Bail Rejected
Krishnendu

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

(Via Video Conference)

C.R.M. 542 of 2021

In Re: An application under Section 439 of the Code of Criminal Procedure filed on 23.04.2021 ;

And

In Re : **Haridas Barman @ Biswnath Barman**
....Petitioner

Mr. Debajit Kundu
Mr. Ratan Chandra Roy

... For the Petitioner

Mr. Arun Kumar Sarkar
Mr. Tapan Bhattacharjee

... For the State

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Sitai P.S. Case No. 48 of 2019 dated 20.04,2019 under sections 498A/302 of the Indian Penal Code, 1860.

Mr. Kundu, learned advocate appearing for the petitioner, submits that the petitioner is the husband of the victim lady and he has already suffered incarceration for a period of about 700 days and there has been no progress in the trial. In the said conspectus, further detention of the petitioner is not warranted.

Mr. Sarkar, learned advocate appearing for the State, opposes the petitioner's prayer and draws our attention to several documents in the case diary. He further submits that the petitioner's prayer for bail was last rejected on 20th January, 2020 and the period thereafter stood intervened by a period lost due to the pandemic and, as such, the delay cannot be attributed to the prosecution.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, the gravity of the offence and the extent of complicity of the petitioner in the alleged crime, we are not inclined to exercise any discretion in favour of the petitioner and his prayer for bail is refused at this stage.

The application for bail, being C.R.M. 542 of 2021, is dismissed accordingly.

Needless to observe that the learned Court below would take expeditious steps towards conclusion of the trial.

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

(Abhijit Gangopadhyay, J.) (Tapabrata Chakraborty, J.)