

21.12.2021
Court No.01
Item No. 37

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

sg

**CRM 1152 of 2021
(Via Video Conference)**

In Re:- An application for bail under section 439 of the Code of Criminal Procedure in connection with Mekhliganj Police Station Case No. 168 of 2018 dated 16.08.2018 under Sections 14A/14C of the Foreigners Act.

And

In Re: **Kamal Mandal**

Petitioner

Mr. Arijit Ghosh

For the Petitioner

Mr. Aditi Shankar Chakraborty, APP

Mr. Biswarup Roy

For the State

The learned Counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the instant case. It is submitted that the petitioner is in custody for over 889 days and there is no possibility of concluding the trial in the near future.

The learned Counsel for the State, however, opposes the prayer for bail and submits that the petitioner in his statement recorded under Section 164 of the Criminal Procedure Code admitted that he is a Bangladeshi national.

Considering the materials available on record, we are not inclined to grant bail to the petitioner.

However, we feel that the matter should be disposed of at the earliest. Accordingly, we direct the learned Additional Sessions Judge, Mekhliganj to conclude the trial within a period of six months from the date of this order without granting any adjournment to either of the parties.

The Secretary, State Legal Services Authority is directed to communicate this order to the learned Additional Sessions Judge, Mekhliganj for information.

The application for bail is, thus, rejected and CRM 1152 of 2021 is accordingly, disposed of.

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

(Biswajit Basu, J)

(Soumen Sen, J)