

02.05.2022
77 & 78
Ct. No. 29
KAUSHIK
REJECTED

C.R.M. 117 of 2021

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Barikul** Police Station Case No. **50** of **2019** dated **07.11.2019** under Sections 342/366/367/370(A)/370(2)/376(2)/506/34 of the Indian Penal Code.

And

In Re : Mithun Chandra

..... petitioner

with
C.R.M. 341 of 2021

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Barikul** Police Station Case No. **50** of **2019** dated **07.11.2019** under Sections 342/366/367/370(A)/370(2)/376(2)(n)/506/34 of the Indian Penal Code and Sections 4/5a/5b/6 of the Immoral Traffic (Prevention) Act, 1956.

And

In Re : Md. Shami @ Mohammad Shami

..... petitioner

Mr. Milon Mukherjee
Md. Zeeshan Uddin
Mr. Santanu Talukdar
Ms. Amrin Khatun

....for the petitioner in CRM 117 of 2021

Mr. Debasis Roy
Mr. Avik Ghatak
Mr. Santanu Chatterjee
Mr. Mustafizur Rahaman
Mr. Fahad Imam

....for the petitioner in CRM 341 of 2021

Mr. S. G. Mukherjee, learned Public Prosecutor
Mr. Rudradipta Nandy

....for the State in both the applications

Two applications for bail are taken up for consideration analogously as they emanate out of the same police case.

The petitioners seek bail, inter alia, on the ground of delay in the disposal of the trial. It is submitted that there are at least ten more prosecution witnesses remaining to be examined.

Learned Public Prosecutor appearing on behalf of the State opposes the prayer for bail.

Considering the materials in the case diary implicating the petitioners in the charges framed against them, we are unable to enlarge any of the petitioners on bail.

However, we request the learned Trial Judge to invoke the provisions of Section 309 of the Code of Criminal Procedure and not to grant unnecessary adjournment to any of the parties. Learned Trial Judge is also requested to dispose of the trial as expeditiously as possible.

Accordingly, prayer for bail of the petitioners is rejected and the applications being CRM 117 of 2021 and CRM 341 of 2021 are dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

