

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.)**

