

04.03.2022

Court No.32
rpan /15

CRM (DB) 218 of 2022

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Bidhannagar Cyber Crime Police Station Case no.22 of 2020 dated 03.03.2020 under Sections 419/420/468/471/120B of the Indian Penal Code, 1860 read with Section 14A of the Foreigners Act;

And

In Re : **Baki Bake Asaro @ Bake Asoro Washington**

- Petitioner.

Mr. Pronojit Roy,

Mr. Debasis Mitra

... for the petitioner.

Mr. Rudradipta Nandy

... for the State.

Mr. Roy, learned advocate appearing for the petitioner submits that at the time of rejection of the petitioner's earlier prayer for bail on 8th November, 2021, it was informed to the Court that the date for consideration of charge has been fixed in the month of January, 2022. However, till date the charges have not been framed. The petitioner is languishing in custody for about 527 days and in the said conspectus, he may be enlarged on bail on any stringent condition.

Mr. Nandy, learned advocate appearing for the State opposes the petitioner's prayer and submits that normal functioning of the learned court below was disturbed due to pandemic situation and as such, the delay, which has occurred, is not totally attributable to the State. Answering our query, he submits, upon instructions, that date has been fixed on 19th April, 2022 for framing of charges.

Heard the learned advocates and considered the materials in the case diary.

We do not find any substantial change in the circumstances subsequent to rejection of the petitioner's earlier prayer for bail. Considering the seriousness of the offence, its ramifications and the extent of complicity of the petitioner in the alleged offence, we are not inclined to exercise any discretion in his favour. As such, his prayer for bail is refused at this stage.

However, the learned court below is directed to take up the question of consideration of charges on the date fixed without granting any unnecessary adjournments to either of the parties.

The application for bail, being CRM (DB) 218 of 2022 is, thus, disposed of.

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

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)