

65 22.03.2022
(AD) Court No.29
(Rejected)

C.R.M. (DB) 783 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Swarupnagar** P.S. Case No.**435 of 2018** dated **23/08/2018** under Sections **363/365** of the Indian Penal Code and adding Sections **325/307/364A/120B** of the Indian Penal Code.
And

In the matter of: Suman Adhikary
....petitioner.

Mr. Angshuman Chakraborty
Mr. Shashanka Shekhar Saha
...for the petitioner.

Mr. Saibal Bapuli, Ld. APP
Mr. Bibaswan Bhattacharya
... for the State.

Petitioner renews the prayer for bail.

Learned Advocate appearing for the petitioner submits that the petitioner is in custody in excess of three years and five months. He draws the attention of the Court to the order dated February 4, 2022 of the jurisdictional Court where the Public Prosecutor was yet to be appointed. He submits that there is hardly any possibility of the trial commencing any time soon. He refers to the order of rejection dated January 13, 2021 passed in CRM 227 of 2021.

Learned Advocate appearing for the State submits that the State appointed a Public Prosecutor. The charges were framed. The next date is April 18, 2022 for the purpose of recording evidence of the prosecution.

Considering the gravity of the offence and the involvement of the petitioner therein and considering the fact that there is hardly any material change in circumstance in favour of the petitioner subsequent to the earlier order of rejection warranting grant of bail, we are unable to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is rejected.

C.R.M. (DB) 783 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)