

CRM (DB) 965 of 2022

In re : An Application for bail under Section 439 of the Code of Criminal Procedure filed on 06.04.2022 in connection with Dewandighi P.S. Case No. 26 of 2019 dated 21.02.2019 under Sections 376(D) of the Indian Penal Code.

-And-

In the matter of: **Raju Dhara @ Bapi & Anr.**

... ...Petitioners

Mr. Uday Sankar Chattopadhyay, Advocate
Mr. Santanu Maji, Advocate
Ms. Trisha Rakshit, Advocate

... ... For the Petitioners

Mr. Neguive Ahmed, Id. PP
Ms. Trina Mitra, Advocate

... ... For the State

Petitioners renew the prayer for bail.

Learned Advocate appearing for the petitioners refers to the last order of rejection dated November 17, 2020 and submits that despite the High Court requiring the trial Court to conclude the trial within eight months from the date of communication of this order, no steps were taken.

Learned Additional Public Prosecutor submits that the trial stood affected by the ongoing pandemic. In any event the dates for recording the evidence of the prosecution witnesses are now fixed by the learned trial Judge.

Considering the fact that there is hardly any material change in circumstances subsequent to the earlier order of rejection and considering the fact that the trial is in progress, we are unable to grant bail to the petitioners.

CRM (DB) 965 of 2022 is rejected

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)