

SL. 24
26.05.2022
Court No. 05
S Das/AJ

CRM (DB) 1414 of 2022

In Re: - An application for bail under section 439 of the Code of Criminal Procedure filed on 23.05.2022 in connection with Baishnabnagar Police Station Case No. 265 of 2020 dated 01.06.2020 under Sections 498A/302/34 of the Indian Penal Code.

And

In the matter of: **Sanjay Sarkar @ Sanjoy Sarkar.**

.... Petitioner.

Mr. Koustav Bagchi,
Mr. Debayan Ghosh,
Ms. Priti Kar.

...for the petitioner.

Mr. Neguive Ahmed,
Ms. Manisha Sharma.

... for the State.

This is the fifth occasion on which the petitioner prays for bail unsuccessfully.

Learned Counsel appearing for the petitioner argues that the matter has not yet been committed to the Sessions Court till date, thereby unnecessarily restraining the liberty of the petitioner for a prolonged period. The petitioner, it is submitted, is already behind bars for over two years.

Learned Counsel appearing for the State controverts the prayer for bail and submits that, on all the previous occasions, co-ordinate Benches of this Court had refused similar prayers of the petitioner and there has been no change of circumstance in the meantime. That apart, it is found from

the materials and the statements on record that there was a clear allegation of involvement of the present petitioner in the alleged offence. As such, we do not find any mitigating circumstance to grant the benefit of bail to the petitioner particularly in the teeth of the earlier refusals.

Accordingly, CRM (DB) 1414 of 2022 is rejected.

Trial of the proceeding in the Court below be expedited as far as possible, keeping in mind the long period of incarceration of the petitioner.

Urgent Photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)

(Rai Chattopadhyay, J.)