

23.06.2022
cm/ct 28
sl no. 22

C.R.M.(DB) No. 1507 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with **Neturia P.S Case No. 51 of 2008** dated **03.11.2008** under Sections **364A/365/379/411/120B/34** of the Indian Penal Code, 1860.

And

Rejected

In Re : Pintu Singh @ Saroj Singh

..... petitioner

Mr. Sabir Ahmed
Ms. Ameena Kabir
Ms. Farah Anum
Mr. Mujibar Ali Naskar

..... for the petitioner

Ms. Anasuya Sinha
Mr. Pinak Kr. Mitra

..... for the State

Officer-in-charge, Neturia Police Station is present. He has submitted a detailed report with regard to the reasons for delay in trial of the case.

Learned lawyer for the petitioner submits he was shown arrested in the case in 2009 since then there is no progress in the trial of the instant case.

Learned lawyer for the State submits that petitioner is a member of a gang who abducted businessmen for ransom. He has criminal cases in different States like Bihar, Jharkhand and West Bengal. Due to pendency of the criminal case in Bihar, petitioner was not produced before this court from 2016 till 2020. Thereafter, due to pandemic conditions trial could not commence. Presently, dates have been fixed for recording evidence in September, 2022.

We have considered the materials on record. Delay in trial of the case is not wholly attributable to the prosecution. Petitioner has criminal antecedents and cases were registered against him in Bihar and Jharkhand also. Owing to trial conducted in the State of

Bihar petitioner was not produced before the jurisdictional court and trial in the present case had to be postponed. Presently, petitioner has been produced from Purnia, Bihar and dates have been fixed for recording evidence. Allegations against the petitioner are grave. He is a member of a gang who extorted businessmen for ransom. Mobile phone of the victim was recovered from his possession.

In view of the aforesaid facts particularly gravity of the offence and criminal antecedents of the petitioner in more than one State, we are of the opinion this is not a fit case to grant bail to him.

However, in view of his prolonged detention, we request the trial court to conclude the trial as expeditiously as possible at preferably within six months from the next date fixed for recording evidence without granting unnecessary adjournments to either of the parties.

The application being CRM 1507 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)