

01.08.2022
Sl. No.15
akd
[Rejected]

C. R. M. (DB) 2381 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 14.07.2022 in connection with Uluberia Police Station FIR Case No. 93 of 2020 dated 09.03.2020 under Sections 341/506/324/325/302 of the Indian Penal Code.

And

In Re: ***Biplab Ghosh***

... .. Petitioner

Ms. Devi Priya Mitra

... .. for the petitioner

Mr. Neguive Ahmed .. Id. Addl. Public Prosecutor

Ms. Trina Mitra

... .. for the State

Petitioner prays for bail on the ground of delay. It is submitted on behalf of the petitioner that he is in custody for about 830 days.

Status report is placed on record. From the report it appears that the case was committed to the Court of Sessions on 31.07.2020. Trial was delayed due to prevailing pandemic conditions as well as cessation of work by the local Bar.

Learned Additional Public Prosecutor submits prayer for bail of the petitioner was rejected earlier on merits. Date has been fixed for recording evidence.

We have considered the materials on record. The above circumstances contributing to delay are beyond the control of the prosecution and would not enure to the benefit of the accused. Presently, date has been fixed for recording prosecution evidence. Under such circumstances, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is thus **rejected**.

Trial court is directed to conduct the trial as expeditiously as possible and conclude the same at an early date.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)

