

10.01.2022

Court No.32

rpan / 07

C.R.M. 7019 of 2021

[through Video Conferencing]

In Re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Santipur Police Station Case no.59 of 2019 dated 06.02.2019 under Sections 341/326/307/302 of the Indian Penal Code, 1860 [Sessions Case No. SC 7 (6) 2019];

And

In Re : **Sandip Pramanik**

- Petitioner.

Mr. Sayan De,
Mr. Kaustuv Shome,
Mr. Sayan Kanjilal
... for the petitioner.
Mr. Madhusudan Sur,
Ms. Sayanti Santra
... for the State.

Mr. De, learned advocate appearing for the petitioner submits that there had been no progress in the trial subsequent to rejection of the petitioner's earlier prayer for bail on 01.12.2020. The petitioner is languishing in custody for more than 3 years and there is also no possibility towards conclusion of the trial in the near future. In the said conspectus, the petitioner may be enlarged on bail on any stringent condition.

Mr. Sur, learned Additional Public Prosecutor appearing for the State opposes the petitioner's prayer and submits that the delay which had occurred is not attributable to the State.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, the gravity of the offence and the extent of complicity of the petitioner in the alleged offence and since there had been no

substantial change in the facts and circumstances of the case subsequent to rejection of the petitioner's earlier prayer for bail, we are not inclined to exercise discretion in favour of the petitioner. As such, his prayer for bail is rejected at this stage.

Mr. De has, however, expressed his anguish and inconvenience as regards the delay in the progress of trial.

We take notice of such issue and direct the learned court below to expedite the trial and if necessary, upon resorting to steps available under Section 309 of the Code so that logical conclusion of this case may be reached at the earliest.

With the aforesaid observations, the application for bail, being CRM No. 7019 of 2021 is disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)