

14.01.2022
S.D.
Item no.3

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

C.R.M. No.7193 of 2021

Biswarup Giri @ Bisu
-vs-
The State of West Bengal

(VIA VIDEO CONFERENCE)

In Re: An application for bail under **Section 439 CrPC** in connection with Mandarmoni Coastal P.S. Case No.47 of 2019 dated November 2, 2019 under sections 366A/368/370/372/373/120B/34 of the Indian Penal Code and Sections 3/4/5/6/7/9 of the Immoral Traffic(Prevention) Act and Sections 4/17/21 of the POCSO Act.

Mr. Ritzu Ghosal
Mr. M. Chatterjee ...for the petitioner.

Mr. Prasun Kumar Datta, Ld. Additional Public Prosecutor
Mr. Nirupam Dhali ... for the State

The accused is in custody since November, 2019 for about 670 days. The accusation against him is indulging in immoral trafficking in woman including minor girls. The chargesheet was submitted on 1st February, 2020. A supplementary chargesheet was submitted on 28th February, 2021.

Three co-accused are absconding.

According to learned public prosecutor because of this the trial has been held up. Custodial trial of the accused is necessary according to him.

Considering the above facts, especially that the petitioner is in custody for 670 days, we direct that the learned judge of the court below will consider split trial of the accused or a regular trial so that the trial of the accused is concluded as expeditiously as possible.

If that is not possible within reasonable time, the petitioner will have an option to apply before the learned court below which shall in that case actively consider his application for enlargement of bail.

This application (CRM 7193 of 2021) is accordingly disposed of.

(Kausik Chanda, J.)

(I.P. Mukerji, J.)