

D/L13
20.09.2022
Bpg.

C.R.M. (SB) 226 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 filed in connection with G.R. Case No.4052 of 2018 arising out of Swarupnagar Police Station Case No.548 of 2018 dated 30.10.2018 under Sections 153B/468/469/471 of the Indian Penal Code and under Section 14 of the Foreigners Act, 1946;

Abdulla Mondal @ Abdulla Bukhari Mondal
Versus
The State of West Bengal

Mr. Satadru Lahiri,
Mr. Safdar Azam,
Mr. Syed Wasim Faruque.
...for the petitioner.

Mr. Arijit Ganguly,
Mr. Avik Ghatak.
...for the State.

The petitioner is in custody for more than one year and nine months as submitted by the learned advocate appearing for the petitioner. The charge is yet to be framed and it has been submitted that there are number of documents which goes to show that the petitioner is an Indian citizen.

Mr. Ganguly, learned advocate appearing for the State opposes the prayer for bail and submits that the petitioner submitted documents which were questionable in nature and the concerned authorities have commented upon the same. To that effect, attention of this Court has been drawn to the letter issued by the Block Development Officer and other officials.

Having regard to the materials appearing in the case diary against the present petitioner, I am not inclined to release the

petitioner on bail. However, the learned trial court is directed to fix at least one date in a week for the purposes of instant case so that the trial can be taken to its logical conclusion within a reasonable period of time. It is further directed that if the charge has not been framed in connection with the instant case, the trial court would frame charges by 15th November, 2022.

Copies on which the prosecution intends to rely upon in course of the trial, the same must be supplied to the accused one week ahead of production of the same before the court.

Accordingly, CRM (SB) 226 of 2022 is dismissed.

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

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)