

03.11.2022.
38.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 3239 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Patuli P.S. Case No.193 of 2019 dated 19.10.2019 under Sections 376AB/506 of the Indian Penal Code and Section 6 of the POCSO Act.

In the matter of : Bappaditya Chatterjee.

... Petitioner.

Mr. Deepak Prahladka,
Ms. Reshmi Khatun.

...for the Petitioner.

Mr. Atif Ahmed Siddiqui.

...for the State.

Petitioner renews his prayer for bail. It is contended in spite of direction given by this Court, there is delay in trial.

Learned Advocate for the State opposes the prayer for bail. He submits report with regard to the reason for delay.

We have perused the report. Delay was due to circumstances beyond the control of the prosecution. On the first day, trial court was on leave while on the subsequent day, one of the witnesses was unwell.

In view of the aforesaid circumstances, we are not inclined to grant bail to the petitioner at this stage.

Accordingly, the prayer for bail of the petitioner is rejected.

We, however, reiterate the requirement to conclude the trial at an early date and request the trial court to proceed with the trial on a day to day basis and conclude the proceeding as

expeditiously as possible preferably within three months from the next date fixed for recording evidence without granting any unnecessary adjournments to either of the parties.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)