

09.11.2022.
23.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 3321 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Ranaghat Womens P.S. Case No.30 of 2020 dated 01.05.2020 under Sections 376(2)(f)/376(2)(i) of the Indian Penal Code and Section 4 of the POCSO Act.

In the matter of : Subir Biswas.

... Petitioner.

Mr. Prabir Majumder,
Mr. S. Majumder.

...for the Petitioner.

Mr. S. S. Imam,
Mr. S. Kundu.

...for the State.

Petitioner renews his prayer for bail. He submits there is delay in the trial of the case.

In view of the aforesaid submission, report with regard to the reason for delay was called for. Report is placed on record.

From the report, it appears delay was due to the Covid pandemic and non-production of the accused persons from jail.

In view of the aforesaid circumstances, we are of the opinion prosecution cannot be held responsible for the delay. There are ample evidence connecting the petitioner with the crime.

Under such circumstances, we are not inclined to grant bail to the petitioner.

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

Trial court, however, is directed to ensure prompt examination of the prosecution witnesses and conclude the trial at an early date preferably within six months from the next date fixed for recording evidence without granting unnecessary adjournments to the either of the parties.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)