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NB/AGM
(Reject)

CRM (DB) 3583 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure, 1973.

In the matter of : Tapas Mallik ... petitioner.

Mr. Soumyajit Das Mahapatra. ...for the petitioner.

Md. Anwar Hossain,
Mr. Mirza Firoj Ahmed Begg.
.....for the State.

Learned advocate for the petitioner has prayed for bail of the petitioner on the ground of long detention in custody without trial.

It is submitted by the learned advocate for the petitioner that the petitioner is in custody for about four years and two months. The learned advocate for the petitioner has invited our attention to an order dated 26.06.2020 passed in CRM 4249 of 2020 where a Division Bench of this Court directed the learned Sessions Judge to make endeavour to bring the case to its logical conclusion preferably within eight months from the date of resumption of full-fledged functioning of the Court. However, even after resumption of the full-fledged functioning of the Court, not a single witness was examined.

Learned Public Prosecutor in-charge has raised objection against the prayer for bail.

Considering the gravity of the offence in which the petitioner has been charged, we are not inclined to grant bail to the petitioner.

However, the learned Additional Sessions Judge, 2nd Court, Jhargram is specifically directed to conclude examination of witnesses within six months from the date of communication of this order and thereafter proceeded with examination of the accused under Section 313 of the Code of Criminal Procedure examination of defence witnesses and delivery of judgment within one month thereafter.

The learned advocate for the petitioner is at liberty to communicate the learned Trial Judge by producing the server copy of this order.

The application for bail being CRM (DB) 3583 of 2022, is thus rejected.

(Bibek Chaudhuri, J.)

(Biswaroop Chowdhury, J.)