

D/L1
15.03.2023

C.R.M. (SB) 9 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 filed in connection with Haripal Police Station Case No.149 of 2022 dated 02.07.2022 under Sections 420/406/468/506 of the Indian Penal Code, 1860;

Sudip Banerjee
Versus
State of West Bengal

Mr. Sandip Chakrabarty,
Mr. Arun Kr. Upadhyay,
Mr. Pawan Gupta,
Mr. Kaustav Das.
...for the petitioner.

Mr. Saswata Gopal Mukherjee, Ld.P.P.,
Mr. Partha Pratim Das,
Ms. Manasi Roy.
...for the State.

Report so submitted by Mr. Partha Pratim Das, learned advocate appearing for the State be kept with the record.

The order-sheets of the learned Magistrate reflect that there was total non-cooperation on behalf of the two accused persons who are in custody. The learned Magistrate is an In-Charge Magistrate and is conducting the trial. The delay in conducting cross-examination and/or progress with the next witnesses is contributed by the accused persons who are in custody.

Having regard to the conduct of the present accused persons at this stage when the evidence has commenced, I am not inclined to grant bail to the present petitioner.

Accordingly, CRM(SB) 9 of 2023 is dismissed.

Learned trial court would progress in the same spirit as the trial was progressing.

Petitioner is granted liberty to approach this Court in the month of May, 2023.

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.)