

24.03.2023.
33.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 1079 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Hanskhali P. S. Case No.304 of 2020 dated 07.10.2020 under Sections 447/506/323/354B/326/34 of the Indian Penal Code and adding Section 313 of the Indian Penal Code.

In the matter of : Shakti Halder.

... Petitioner.

Mr. Sourav Chatterjee,
Ms. Sananda Bhattacharyya.

...for the Petitioner.

Mr. Saibal Bapuli, Id. A.P.P.,
Ms. Sayanti Santra.

...for the State.

Petitioner is in custody for more than two years. He submits there is delay in trial. He prays for bail.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. Petitioner had assaulted the victim which resulted in her miscarriage. Medical documents support the statement of the victim. Bail prayer of the petitioner was rejected on merits earlier. Though this Court directed expeditious disposal of the case, the order was not communicated to the learned Magistrate. In the meantime, accused was not produced due to absence of police escort. No prayer was made by the defence to resort to video conference and commit the case to the Court of Sessions.

In view of the aforesaid circumstances and gravity of offence, we are not inclined to grant bail to the petitioner.

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

Trial court is directed to forthwith commit the case to the Court of Sessions.

Parties shall communicate the order to the trial court for necessary compliance.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)