

15.05.2023

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rejected

C.R.M. (DB) No. 1917 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with New Alipore Police Station Case No. 138 of 2019 dated 26.06.2019 under Sections 364A/170/382/387/307/34 of the Indian Penal Code read with Sections 25(1B)(a)/27 of the Arms Act.

And

In Re : Sanjoy Roy petitioner

Mr. Apalak Basu

Mr. Sayak Chakraborti

Mr. Wrickbrata Roy

... for the petitioner

Ms. Anasuya Sinha

Mr. Pinak Kumar Mitra

... for the State

Mr. Jaydeep Biswas

Mr. Smitesh Chatterjee

Mr. Santanu Talukdar

Mr. Kaushik Ghosh

.... for de-facto complainant

Learned Counsel for the petitioner submits he is in custody for more than three years. It is also submitted he has been falsely implicated due to business rivalry. There is inordinate delay in trial. He prays for bail.

Learned Counsel for the State opposes the prayer for bail and submits trial is in progress.

Learned Counsel for the de-facto complainant also opposes the prayer for bail.

We have considered the materials on record. Petitioner and co-accused had hatched a conspiracy to extort money from

the de-facto complainant. Petitioner posed as an army man and threatened the de-facto complainant. De-facto complainant is yet to be examined. Co-accused have criminal antecedents. There is possibility of re-offending the petitioner if he is released on bail. Under such circumstances, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

Trial court is directed to conduct the trial with utmost expedition by fixing dates for examination of the witnesses at regular intervals and conclude the trial at an early date preferably within two years from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)