

19.07.2023
Serial no. 2
[G.S.D]

CRM (SB) 144 of 2023

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Special Case No. 147 of 2022 arising out of Baruipur Women P.S. Case No. 85 of 2022 dated 22.07.2022 under Sections 8 of the Protection of Children from Sexual Offences Act.**

-And-

In the matter of : Debasis Mukherjee

... .. Petitioner

Mr. Tapan Datta Gupta
Mr. Parvej Anam
Mr. Arindam Kanjilal

... .. For the Petitioner

Mr. Soumik Ganguli,

... ..*For the State*

Mr. Datta Gupta, Learned Advocate appearing for the petitioner, submits that the petitioner is in custody for 352 days and three witnesses have been examined and four other witnesses are yet to be examined by the prosecution which has been fixed on 23rd of August, 2023.

Mr. Ganguly, Learned Advocate, appearing for the State has produced the Case Diary and also drawn the attention of the Court to the evidence.

The case is at the midst of the trial and more witnesses are yet to be examined.

I have considered the nature of accusation.

However, on the submissions of Learned Advocate for either of the parties, it is not transparent to this Court as

to how many witnesses till date have been examined by the Learned Trial Court and the next date so fixed is also not clear to this Court.

Hence, the Learned Trial Court is directed to complete the evidence of the prosecution by 11th September, 2023. Efforts be taken to pronounce the judgment prior to the ensuing *puja vacation*.

In view of the observations made above, I am not inclined to release the petitioner on bail at this stage.

Prayer for bail of the petitioner is **Rejected**.

Accordingly, CRM(SB) 144 of 2023 is dismissed.

Pending application(s), if any, is also dismissed.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)