

01.05.2023
KC (10)

IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M.(DB) 166 of 2023

In the Matter of : Ajay Roy

.... petitioner.

Mr. Supriya Debnath,
Mr. Biswarup Roy.....For the petitioner.

Mr. Ujjwal Luksom,
Mr. Sagnik Sankar Sikdar,
Mr. Tapan Bhattacharjee.....For the State.

This is an application for grant of bail filed under Section 439 of the Code of Criminal Procedure, 1973 in connection with F.I.R. No. 136 of 2022 dated 14th April, 2022 under Sections 305/511/120B/506/34 of the Indian Penal Code corresponding to Sessions Case No. 114 of 2022 pending before the court of learned Additional District Judge, 3rd (Special) Court, Jalpaiguri.

We can only direct expeditious trial of the criminal case in this matter. This is for the reason that the case where the petitioner has been charged with rape of the victim in this case is still pending. Bail granted to the petitioner has been cancelled. Subsequently the victim committed suicide.

This case accuses the petitioner of abetment of the suicide on the basis inter alia of her dying declaration.

In the present case investigation has been completed. Charge-sheet submitted on 16th June, 2022.

Therefore, we direct the learned court below to conclude the trial as expeditiously as possible. If there is dilation of trial the petitioner will be at liberty to file a fresh application for bail.

The present application for bail [CRM (DB) 166 of 2023] is rejected.

(I.P. MUKERJI, J.)

(ANANYA BANDYOPADHYAY, J.)