

14.06.2023
Court No.01
Item No.3
Rejected

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

sg

CRM (DB) 313 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kalchini Police Station Case No. 34 of 2016 dated 06.02.2016 under Sections 341/326/307/302 of the Indian Penal Code.

And

In Re: **Lochhu Munda**

Petitioner

Mr. Kallal Ghosh
Mr. Rajkumar Gupta
Mr. Dhana Singha Sarkar
Mr. Kishan Sah
Mr. Rakesh Gupta
Mr. Utpal Dutta

For the Petitioner

Mr. Ujjwal Luksom
Mr. Aniruddha Biswas

For the State

The learned Counsel for the petitioner submits that the petitioner is in custody since 15th February, 2016 and out of 14 witnesses, 9 witnesses have been examined. It appears that the 13th June, 2023 was fixed for examination of CSW nos. 13 and 14.

However, the learned Counsel for the parties are unable to apprise this Court as to whether the evidence of the said two witnesses have been concluded and they were discharged.

In the event, the evidence of remaining witnesses has not been concluded till date, we request the learned Trial Court to conclude the evidence of the

remaining witnesses within two months from date without granting any unnecessary adjournment to either of the parties.

The Public Prosecutor must ensure the presence of the witnesses on the date fixed in the Trial Court.

The said direction is peremptory.

The application for bail of the petitioner is rejected. CRM (DB) 313 of 2023 is disposed of.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Raja Basu Chowdhury, J)

(Soumen Sen, J)