

15.06.2023  
Court No.1  
Item No.11  
Rejected

CIRCUIT BENCH OF CALCUTTA HIGH COURT  
AT JALPAIGURI

sg

CRM (DB) 320 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Jaigaon Police Station Case No. 259 of 2015 dated 04.09.2015 under Section 302 of IPC.

And

In Re: **Bharat Lama**

Petitioner

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

For the Petitioner

Mr. Aditi Shankar Chakraborty  
Mr. Kallol Nag

For the State

The learned Counsel for the petitioner submits that the petitioner is languishing in jail for almost eight years and his long incarceration may be considered by releasing the petitioner on bail.

The learned Counsel for the State, in opposition the prayer for bail, has submitted that the trial has progressed substantially and only the evidence of one witness is left.

Considering the fact that there has been a substantial progress in the trial and the fact that only one witness is now left to be examined, we request the learned Additional Sessions Judge, Alipurduar to conclude the evidence of the

witnesses within four weeks from date and dispose of the matter as expeditiously as possible without granting any unnecessary adjournment to either of the parties.

It would be responsibility of the District PP to ensure that all the witnesses are available on the date fixed and cooperate with the learned Trial Court in disposing of the case at an earliest.

This order shall be communicated to the District PP for information and taking steps.

The application for bail is rejected. CRM (DB) 320 of 2023 is, accordingly, 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)**