

16.06.2023
Court No.1
Item No.10
Rejected

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

sg

CRM (DB) 330 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Falakata Police Station Case No. 143 of 2016 dated 25.03.2016 under Sections 376(2)(i)/302/201 of IPC read with Section 10 of the POCSO Act.

And

In Re: **Sujit Barman @ Kalu**

Petitioner

Mr. Kallal Ghosh

For the Petitioner

Mr. Aditi Shankar Chakraborty, ld. APP
Mr. Sourav Ganguly

For the State

1. It is submitted on behalf of the petitioner that out of 22 witnesses, 20 witnesses have been examined. However, the matter is long pending and no progress has been made since examination of the last witness. It is further submitted that the delay is further caused due to an application for alteration of charge filed on behalf of the prosecution at a much belated stage.
2. The learned Counsel for the State, in opposing the prayer for bail, has submitted that the petitioner is the step father of the minor who was brutally murdered and no leniency should be shown to the petitioner.
3. Considering the materials available with the record and the fact that 20 witnesses out of 22 witnesses have been examined, we are not inclined to grant bail to the petitioner.

4. However, we request the learned Trial Court to dispose of the matter preferably within a period of six months from the date of communication of this order. The application for alteration of charge, if pending, shall be disposed of at an earliest.
5. CRM (DB) 330 of 2023 is, accordingly, disposed of.
6. 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)