

16.06.2023
Court No.1
Item No.11
Rejected

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

sg

CRM (DB) 332 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Alipurduar Police Station Case No. 310 of 2013 under Sections 450/323/364/302 of IPC.

And

In Re: **Sadanada Roy @ Sunanda @ Pradhan**

Petitioner

Mr. Kallal Ghosh

For the Petitioner

Mr. Niloy Chakraborty
Mr. Kallol Nag

For the State

1. The learned Counsel for the petitioner submits that the petitioner is in custody for 10 years and the case is still pending. It is submitted that there is no possibility of the trial being concluded in the near future and the application for bail may be considered.
2. The learned Counsel for the State, in opposing the prayer for bail, has submitted that all the witnesses have been examined and the trial is at the stage of recording statement of the petitioner under Section 313 of the Code of Criminal Procedure followed by argument.
3. We find from record that the learned Trial Court has fixed 7th July, 2023 for examination of one Dr. Rajib Deb but the learned Counsel for the parties could not clarify as to why the said witness is called upon to depose since it

appears that the witnesses named in the charge-sheet have so far been examined.

4. Be that as it may, we request the learned Trial Court to conclude the evidence of the remaining witnesses within four weeks from date and dispose of the matter preferably within six months thereafter.
5. The application for bail of the petitioner is, thus, rejected. CRM (DB) 332 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)