

30.08.2023
Item no.9
Court No.01
P.P./S.D.

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

CRM (DB) 481 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure;

And

In Re: Swadesh Singha

.... petitioner

Mr. Arunava Pal

....for the petitioner

Mr. Aditi Shankar Chakraborty, Ld. APP,
Mr. Arjun Chowdhury

..... for the State

The present application under Section 439 of the Code of Criminal Procedure has been preferred in connection with Phansidewa Police Station Case No.405 of 2021 dated 29.08.2021 under Sections 302/201 of the Indian Penal Code.

Heard the learned Advocates appearing for the respective parties. Records reveal that the petitioner earlier approached before the Court on two occasions and his prayer for bail was rejected on 20.12.2021 and 31.8.2022.

Prima facie, we do not find any change in the circumstances subsequent to rejection of the petitioner's prayer on 31.8.2022 and as such we are not inclined to exercise any discretion in his favour at this stage. However, since learned advocate appearing for the petitioner has expressed his anguish and inconvenience as regards the delay in the progress of trial,

we take notice of such issue and direct the learned Trial Court below to expeditiously conduct trial and if necessary upon resorting to the steps available under Section 309 of the Cr.P.C. so that logical conclusion of this case may be reached at the earliest.

With the above observations and directions, the application being CRM (DB) 481 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.

(Lapita Banerji, J.)

(Tapabrata Chakraborty, J.)