

D/L24
03.05.2024
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C.R.M. (SB)29 of 2024

In Re: An application for cancellation of bail under Section 439(2) of the Code of Criminal Procedure, 1973;

Sri Tapan Das
Versus
The State of West Bengal and another

Mr. Dipanjan Chatterjee
Ms. Rimpa Adhikari
Ms. Kakan Das.
...for the petitioner.

Mr. Antarikhya Basu.
...for the State.

Mr. Soumen Kr. Dutta
Mr. Sayan Uddin.
...for the opposite party no.2.

Report submitted by the learned advocate for the State be kept with the record.

Mr. Chatterjee, learned advocate appearing for the petitioner prays for cancellation of bail of the opposite party no.2.

Learned advocate for the opposite party no.2 draws the attention of the Court to the order of bail, which was passed on 14th August, 2018. More than 6 years have passed since the bail was granted to the opposite party no.2. There was an earlier application for cancellation of bail made by the present petitioner before the learned ACJM, Contai. Being aggrieved by the rejection of the said order, petitioner approached this Court.

Having regard to the fact that more than 5½ years have passed since the order of bail was passed, I am not inclined to

interfere at this stage.

It has also been informed that the investigation of the case has been completed and the trial has commenced as charge was framed on 25th June, 2019. The next date has been fixed on 3rd July, 2024 for evidence.

I direct the learned ACJM, Contai/the learned trial court in seisin of the matter to fix at least one date in every 60 days for the purposes of the present case so that the trial of the case can be taken to its logical conclusion within a reasonable period of time. I further direct that the trial of the case would continue in spite of the resolution of the local bar and the participating advocate will not stall the trial of the case because of such resolution.

With the aforesaid observations, CRM (SB) 29 of 2024 is disposed of.

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

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)