

150.
Court
No.6

21.05.2024

(Tanmoy)

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 1511 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973, in connection with **Golabari Police Station Case No. 245/2014** dated **16.03.2014** under Sections **327/307/109/120B** of the Indian Penal Code.
And
In the matter of: - **Harender Yadav**

...petitioner.

Mr. Sabir Ahmed, Adv.,
Mr. Suman Biswas, Adv.,
Ms. Tasnim Ahmed, Adv.

...for the petitioner.

Mr. Al-Maktum Batasi, Adv.,
Mr. Raj Vardhan Agarwal, Adv.

...for the victim.

Mr. Binoy Panda, Adv.,
Ms. Purnima Ghosh, Adv.

...for the State.

It is stated by the petitioner that he was granted bail on an earlier occasion. As he was not present before the Court, Warrant of Arrest was issued against him and subsequently he was arrested and is now detained in custody.

It is further submitted by learned Counsel appearing on behalf of the petitioner that there is no immediate chance of framing of charge by the learned Trial Court. As he had already been granted bail, his application and prayer for bail may be allowed.

Learned Counsel for the State raises objection by submitting that the bail prayer of the accused-petitioner has

already been rejected earlier by an order dated January 24, 2024, passed by a co-ordinate Bench in CRM (DB) 203 of 2024.

Learned Counsel appearing for the victim submits that the victim was brutally assaulted and as a result of which, he lost one of his eyes.

We have heard learned Counsel appearing for the parties and also perused the material placed before us at the time of hearing. It appears that on January 24, 2024, the bail prayer of the petitioner was rejected by a co-ordinate Bench of this Court.

Having considered the material placed before us and the submissions advanced on behalf of the parties, we are of the view that this is not a fit case for granting bail to the petitioner. There is no changed circumstance for which the petitioner's prayer for bail may again be considered after the earlier rejection of prayer for bail.

Accordingly, the prayer for bail is hereby rejected.

However, the learned Trial Court is hereby directed to take appropriate steps to expedite the trial and bring the same to its logical conclusion preferably within a period of one year from the date of communication of this order without granting unnecessary adjournment to either of the parties.

The application being CRM (DB) 1511 of 2024 is accordingly disposed of.

(Arijit Banerjee, J.)

(Prasenjit Biswas, J.)