

20.06.2024
Item no. 80.
Court No.28.
AB
Rejected

CRM (DB) 1593 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with English Bazar P.S. Case No.1629 of 2022 dated 28.10.22 under Sections 489B/489C/34 of the Indian Penal Code

And

In the matter of : Lalu Sk.

.....Petitioner.

Mr. M. Chatterjee
Mr. Debapriya Majumdar.....for the Petitioner.

Mr. Saibal Bapuli
Mr. Prakash Mishrafor the State.

Pursuant to our order dated June 13, 2024, the State has filed the report.

Let the same be kept with the records.

The charge is of dealing in fake Indian currency. Huge amount of fake currency was recovered from the joint possession of the accused persons.

The petitioner says that he is in custody for 18 months and the trial has not commenced.

Learned Advocate for the State says that three out of five accused persons are in custody. One accused has been granted bail as there was no recovery from him. The other accused person is absconding and is in Bihar. Steps are being taken for bringing him to Malda.

18 months is a long period of time to incarcerate somebody without even commencement of the trial. Learned Advocate for the State says that July 2, 2024 is the date fixed for taking further steps in the matter.

In view of the prima facie incriminating material against the petitioner, we are not inclined to grant bail to the petitioner.

The prayer for bail is, accordingly, rejected.

CRM (DB) 1593 of 2024 is dismissed.

The learned Trial Court should consider splitting up the trial and not wait till the apprehension of the accused person who is absconding. The learned Trial Court is requested to take all possible steps for expediting the trial to the fullest and bring the same to its logical conclusion as soon as possible, without granting any unnecessary adjournment to either of the parties.

The parties shall communicate this order to the learned Trial Court.

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

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)

