

14.06.2024
Item no.37.
Court No.28.
S. De
(Rejected)

CRM (DB) No. 1719 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure.

And

In the matter of : Atiursk @ Mujubar Rahman.

.....Petitioner.

Mr. Bibaswan Bhattacharyya,
Mr. Aliul Islam,for the Petitioner.

Ms. Anasuya Sinha,
Ms. Madhumita Basak,
...for the State.

The petitioner says that he has been falsely implicated. The allegation is of dealing in fake Indian currency worth Rs.3.85 lakh. He says that he had no major role to play in the alleged incident. He also says that the main person is absconding.

He further says that although chargesheet was filed in July 2021 and charge was framed on September 2023, till date only one prosecution witness has been examined. On the last five dates fixed for examination of witness, the trial was adjourned.

Learned advocate for the State points out that out of the last five dates, only on one date the witness was not present. On the other four dates the trial was adjourned for no fault of the prosecution. Given the gravity of the offence, the petitioner's prayer should not be allowed.

Having considered the material on record, the seriousness of the offence and the possible extent of complicity of the petitioner in the alleged offence, we are not inclined to allow the petitioner's prayer for bail, at this stage.

The application for bail is, accordingly, rejected.

CRM (DB) 1719 of 2024 is dismissed.

However, considering that the petitioner is in custody for an appreciable period of time, we direct the learned Trial Court to complete the trial within six months from the next date fixed for recording of evidence without granting any unnecessary adjournments to either of the parties. If the trial is not concluded within the time period indicated above, the petitioner will be at liberty to renew his prayer for bail.

Let this order be communicated by the parties 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.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)