

04.07.2024
Item no. 20.
Court No.28.
AB
(Rejected)

CRM (DB) 1861 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Rajarhat P.S. Case No.341 of 2022 dated 11.11.2022 under Sections 328/376D of the Indian Penal Code

And

In the matter of : Yogesh Mishra

.....Petitioner.

Mr. S. Moitra, Sr. Adv,
Mr. Anshuman Chakraborty,
Mr. S. S. Sahafor the Petitioner.

Ms. Z. N. Khan,
Ms. Snigdha Sahafor the State.

Ms. Jhuma Sen,
Ms. Arpita Defor the Defacto complainant.

The State has filed a report in terms of our order dated June 27, 2024. The report is to the effect that there is presently no facility for video conferencing.

Let us not get into that controversy. We have already noted that the expected date of delivery insofar as the Investigating Officer is concerned, is July 29, 2024.

We are not inclined to allow the petitioner's prayer for bail in view of the prima facie incriminating evidence available on record. The allegation is very serious i.e., of gang rape. Statements of witnesses have been shown to us.

The prayer for bail is, accordingly, rejected.

CRM (DB) 1861 of 2024 is dismissed.

However, considering the fairly lengthy detention of the petitioner, we direct the learned Trial Court to conclude the trial as early as possible but positively by the end of this year i.e. December 31, 2024.

We make it clear that if the trial is not concluded within the time period indicated herein, the petitioner will be at liberty to renew his prayer for bail.

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.)