

14.
Court
No.28

04.07.2024

(Tanmoy)

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 1832 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023.

And

In the matter of: - **Suvo Panday @ Pandey @ Pande**

Mr. Md. Wasim Akram, Adv.

...for the petitioner.

Ms. Anasuya Sinha, Adv.,
Mr. Debanshu Ghorai, Adv.

...for the State.

The *de facto* complainant has received notice of this bail application. A copy of the notice filed by the State be kept with the records.

The petitioner says that he has been falsely implicated. He had a love affair with the victim girl. His prayer for bail was rejected earlier on February 23, 2023, passed in CRM (DB) 391 of 2023, on the ground that at that time the victim girl had not been examined. Now she has been examined. The petitioner is in custody for about two years. Only one out of eight witnesses has been examined. The trial will take a long time to conclude. He should be enlarged on bail.

Learned Advocate for the State, while opposing the prayer for bail, shows us the statements of witnesses in the case diary including the victim’s statement. We have also seen the

deposition of the victim girl recorded by the learned Trial Court. The same clearly implicates the petitioner.

A minor girl is involved. Given the seriousness of the alleged offence and the *prima facie* involvement of the petitioner therein, although the petitioner is in custody for about two years, we are not inclined to enlarge him on bail immediately.

Accordingly, the prayer for bail is rejected.

The application being CRM (DB) 1832 of 2024 is accordingly dismissed.

However, we direct the learned Trial Court to expedite the trial to the fullest extent possible and conclude the same at an early date and definitely within six months from the next date fixed for recording of evidence without granting unnecessary adjournment to either of the parties.

We clarify that if the trial is not concluded within the time period indicated hereinabove, the petitioner shall be at liberty to renew his prayer for bail.

This order shall be immediately communicated by the parties to the learned Trial Court.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)