

02
14-08-2024
(ct. no.28)
S. De
(Rejected)

CRM (DB) 1947 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure.

- A n d -

In the matter of : Senjam Nongdrenkhomba Singh.

.... Petitioner.

Ms. Ashima Mandla, (in virtual mode)

Ms. Mandakini Singh,

Ms. Ritu Das,

... For the Petitioner.

Mr. Rudradipta Nandy, Ld. APP.

...for the State.

Order dictated by Partha Sarathi Sen, J.

1. In this case the petitioner seeks bail, basically, on the ground of his long detention. Learned advocate for the petitioner prays for consideration of the prayer favourably.
2. While opposing the prayer for bail, Mr. Nandy, learned Additional Public Prosecutor draws our attention to the memo of evidence as filed today. It reveals that the present accused petitioner is a habitual offender and he has been convicted in a similar case by a competent Court of West Bengal.
3. Materials have been placed to the effect that sufficient incriminating articles have been seized from the possession of the present accused petitioner in course of investigation.
4. Considering such circumstances, we are not inclined to exercise our discretion under Section 439 of the Code of

Criminal Procedure in favour of the present accused petitioner.

5. CRM (DB) 1947 of 2024 is dismissed.
6. It is reported at the Bar that, in spite of passing order by the learned Trial Court i.e. learned Additional Sessions Judge, 2nd Court, Fast Track Court, Alipore, South 24-Parganas, the Superintendent of Siliguri Correctional Home is not producing the present accused petitioner in virtual mode before the learned Trial Court.
7. Such being the position, the Superintendent of Siliguri Correctional Home is, hereby, directed to produce the present accused petitioner through virtual mode before the learned Trial Court on the next date positively, failing which this Court shall take appropriate action against the said Superintendent, Siliguri Correctional Home.
8. Mr. Rudradipta Nandy, learned Additional Public Prosecutor is, hereby, requested to communicate this order to the Superintendent of the Siliguri Correctional Home for his compliance in letter and spirit.
9. Let the order also be communicated to the Superintendent of the Siliguri Correctional Home by our registry.

(Partha Sarathi Sen, J.)

(Arijit Banerjee, J.)