

15.07.2024
Item no.30.
Court No.28.
S. De
(Rejected)

CRM (DB) No. 2067 of 2024

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

And

In the matter of : Siddhi Mondal.

.....Petitioner.

Mr. Satadru Lahiri,
Mr. Safdar Azam,

.....for the Petitioner.

Mr. S. Patel,
Ms. Ankita Paul,

...for the State.

The petitioner renews his prayer for bail which was rejected thrice earlier. He says that he is in custody for 3 years 6 months. In spite of an earlier direction by this Court for completing the trial within six months, the same has not been done.

Learned advocate for the State says that 8 out of 15 chargesheet named witnesses have already been examined. August 5 and 8, 2024 have been fixed as the next schedule for examination of the first and second investigating officers. The trial is likely to conclude soon.

We have seen the statement of the victim girl who was five years old at the time of the alleged incident and was seven years at the time of recording of her deposition by the learned Trial Court. She clearly narrates the heinous incident.

In view of the gravity of the alleged offence and prima facie incriminating material against the petitioner, in spite of the petitioner being in custody for quite some time, we are not inclined to allow his prayer for bail.

CRM (DB) 2067 of 2024 is dismissed.

However, keeping in mind the fundamental rights of a citizen under Article 21 of the Constitution of India, we direct the learned Trial Court to expedite the trial to the fullest and conclude the same at the earliest and in any event within four months from the next date fixed for recording of evidence.

We clarify that in the event the trial is not concluded within the time period indicated herein, 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.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)