

19
16-08-2024
(ct. no.28)
S. De
(Rejected)

CRM (DB) 2125 of 2024

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

- A n d -

In the matter of : Soumen Ranjit.

.... Petitioner.

Mr. Ayan Basu,
Mr. Sandip Kr. Mondal,
Mr. Sumit Routh, ... For the Petitioner.

Mr. Iqbal Kabir,
Mr. Subhajit Chowdhury, ...for the State.

Order dictated by Partha Sarathi Sen, J.

1. The instant application for bail has been filed on behalf of the petitioner as and by way of renewal, basically on the ground of his long detention and for non-examination of the charge-sheeted witnesses though there is a direction by a co-ordinate Bench on February 5, 2024 to conclude the trial within a year from the next date fixed after passing of that order.
2. While opposing the prayer for bail, learned advocate for the State draws our attention to the deposition of the victim girl. It is further submitted that the time period as indicated by the co-ordinate Bench is not over.
3. We have perused the entire materials as placed before us including the evidence of the victim girl. We found incriminating materials as against the present accused petitioner. We also noticed that the time period framed by the co-ordinate Bench is still not over.

4. In view of the aforesaid, we are not inclined to exercise our discretion under Section 439 Cr.P.C. in favour of the petitioner.
5. CRM (DB) 2125 of 2024 is dismissed.
6. However, before parting, we request the learned Trial Court to abide by the order dated February 5, 2024 as passed in CRM (DB) 344 of 2024.
7. We clarify that in the event the trial is not concluded within the time period indicated by the co-ordinate Bench in CRM (DB) 344 of 2024, the petitioner may renew his prayer for bail.
8. Let this order be communicated by the parties to the learned Trial Court.

(Partha Sarathi Sen, J.)

(Arijit Banerjee, J.)