

70. 02.09.2024
Court
No.28 (Tanmoy)

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 2339 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, in connection with Itahar P.S. Case No. 223/2022 dated 08.4.2022.

And

In the matter of: - **Kartick Roy**

...petitioner.

Mr. Arnab Chatterjee
Mr. Anisur Rahaman

...for the petitioner.

Mr. Anand Keshari
Mr. Akash Ganguly

...for the State.

Dictated by Arijit Banerjee, J.

1. The petitioner is the father-in-law of the victim lady. He says that he is in custody for two years and five months. He has no role to play in the alleged incident. He prays for bail. Report filed by the State be kept with the records.
2. While opposing the bail prayer, learned State Counsel draws our attention to statements of witnesses recorded under Section 164 of the Code of Criminal Procedure, 1973. They squarely implicate this petitioner.
3. We have also seen the post mortem report. The same *prima facie* supports the prosecution case.
4. In view of the gravity and nature of the alleged offence and the possible extent of complicity of the petitioner therein, we are not inclined to allow the petitioner's prayer for bail.

5. The application being CRM (DB) 2339 of 2024 is accordingly dismissed.
6. We are told that five out of 18 charge-sheet named witnesses have already been examined. Keeping in mind the already lengthy detention of the petitioner, we direct the learned Trial Court to spare no effort to expedite the trial and conclude the same at an early date but positively within eight months from the next date fixed for recording of evidence.
7. We clarify that if the trial is not concluded within the time period indicated hereinabove, the petitioner will be at liberty to renew his prayer for bail.
8. This order shall be communicated by the parties as well as by the learned Registrar General of this Court to the learned Trial Court immediately.

(Arijit Banerjee, J.)

(Prasenjit Biswas, J.)