

CRM (DB) 2416 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of the Bhartiya Nagarik Suraksha Sanhita in connection with Ranaghat Police Station Case No.297 of 2022 dated 07-05-2022 under Sections 498(A)/302/34 of the Indian Penal Code.

- A n d -

In the matter of : Sanjit Das @ Rinka

.... Petitioner.

Mr. Sayan De,
Mr. Abhijit Mondal,
Mr. Sayan Kanjilal,
Mr. Kaustuv Shome

... For the Petitioner.

Mr. Arnab Chatterjee,
Ms. Afreen Begum

... For the State.

Dictated by Arijit Banerjee, J.

The petitioner's prayer for bail was rejected twice earlier, lastly on February 07, 2024. It appears that the petitioner killed his wife by stabbing. The Post Mortem Report sufficiently corroborates the prosecution case.

While rejecting the petitioner's prayer for bail on February 07, 2024, a coordinate Bench had requested the trial Court "*to consider the issue of framing of charge on the date so fixed and if it is unable to do so positively within one month thereof and in the event charge is framed to take the proceeding to its logical conclusion without granting unnecessary adjournments to either of the parties*".

The petitioner complains that as of date, the charge has not yet been framed. He says that he is in custody for

two years four months. He renews his prayer for bail on the ground of delay in progress of trial.

Opposing the prayer for bail, learned counsel for the State points out that the delay has been caused by the accused persons, who in turn, absent themselves on the dates fixed. September 25, 2024, has been fixed as the date for consideration of the issue of framing charge. He says that there is sufficient incriminating material against the petitioner.

In view of the material in the Case Diary which *prima facie* clearly indicate the involvement of the petitioner in the alleged crime, we are not inclined to allow his prayer for bail, although he has been in incarceration for quite some time.

The application for bail is, thus, **dismissed**.

We, however, direct the learned trial Court to positively consider the issue of framing charge on September 25, 2024 and, if charge is framed, to conclude the trial within a year from that date without granting unnecessary adjournments to either of the parties.

Learned Registrar General of this Court as also the parties shall communicate this order to the learned trial Court forthwith.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Prasenjit Biswas, J.)

(Arijit Banerjee, J.)