

CRM (DB) 2633 of 2024

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

- A n d -

In the matter of : Samir Ranjan Das @ Samir.

.... Petitioner.

Mr. Ayan Basu,
Mr. Sandip Kr. Mondal,
Mr. Sumit Routh,

... For the Petitioner.

Ms. Z.N. Khan,
Mr. Dipankar Paramanick,

... For the State.

Order dictated by Arijit Banerjee, J.

1. Affidavit-of-service filed in court today, be kept with the records.

In spite of service, nobody appears for the de facto complainant.

2. The allegation is of trafficking of the victim girl, 14 years of age at the time of the alleged incident. The victim girl, in her statement recorded under Section 164 Cr.P.C., clearly says that this petitioner took her to several places.

3. The petitioner says that the case has not even been committed. He is in custody for 2 years and 5 months.

4. Learned State advocate says that a supplementary charge-sheet has been filed on April 12, 2024. One of the accused persons named therein is absconding. That is the reason why there is delay in progress of the trial.

5. In view of the prima facie incriminating material against this petitioner and the heinous nature of the crime, we are not inclined to entertain the prayer for bail.

6. Accordingly, CRM (DB) 2633 of 2024 is dismissed.

7. However, the paramount importance of a citizen's fundamental right to personal liberty and speedy trial also cannot be lost sight off. Keeping in mind the long incarceration of the petitioner, we direct the learned Trial Court to take appropriate steps for splitting up the trial, in accordance with law, so that the same may be concluded in so far as this petitioner is concerned, at an early date.
8. Let this order be communicated by the parties to the learned trial Court.

(Prasenjit Biswas, J.)

(Arijit Banerjee, J.)