

23.12.2024

Sl. 21

Court No.29

Suvayan/

Sourav

(Rejected)

C.R.M. (DB) 3721 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure as well as under Section 483 of the B.N.S.S., 2023 in connection with **STF** P. S. Case No. **16** of **2020** dated **28.02.2020** under Sections **120B/489B/489C** of the IPC (Corresponding to G.R. Case No. **277** of **2020**).

And

In the matter of: **Laishram Jinan**

....petitioner

Mr. Ayan Bhattacharyya

Ms. Mousumi Sarkar

...for the petitioner.

Mr. Joydeep Biswas

Ms. Jonaki Saha

...for the State.

Dictated by Partha Sarathi Sen, J.

1. The report dated 23.12.2024 as submitted by the Assistant Commissioner of Police, STF, Kolkata through learned advocate for the State is taken on record.
2. In support of the application for bail, learned advocate for the petitioner submits before this Court that considering the long detention of the present accused petitioner and also considering the slow progress of the trial which jeopardized the right to life of the present accused/petitioner, the instant application for bail may be considered favourably.
3. While opposing the prayer for bail, learned advocate for the State draws our attention to the report as submitted today. It is contended that from such report, it would reveal that the progress of the trial is not at all slow and on the contrary, on many occasions the progress of the trial has been hampered on account of the prayer of adjournment as made on behalf of the accused/petitioner.
4. We have perused the entire materials as placed before us, we

have also gone through the photocopy of the certified copy of the orders as passed by the learned Trial Court in course of hearing.

5. We are satisfied with regard to the progress of the trial. We have also noticed that evidence of various P.W.s have been recorded for a considerable length of time because of the peculiar nature of the alleged crime.
6. In the report an assurance has been given on behalf the prosecution that within six months from today there is every possibility that the trial would come to a logical conclusion.
7. Considering the entire materials as placed before us and also the grievous nature of the crime, we are not inclined to exercise our discretion under Section 439 of the Code of Criminal Procedure at this stage.
8. Accordingly, the prayer for bail of the petitioner is rejected.
9. CRM (DB) 3721 of 2024 is disposed of.
10. However, before parting we request the learned Trial Court to expedite the trial as far as practicable preferably within the time limit as indicated in today's report.
11. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.
12. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Partha Sarathi Sen, J.)

(Arijit Banerjee, J.)