

(ADSL)
123. 13.02.2025
Court
No.26 (Pritam)
(Rejected)

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 3847 of 2024

In Re: - An application of bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023.

And

In the matter of: - **Sishir Maity @ Bhulu Maity.**

.....petitioner.

Mr. Santanu Talukar,
Mr. Indranil Roy Chowdhury,
Mr. Priyankar Ganguly

...for the petitioner.

Mr. Avishek Sinha,
Mr. Arka Chakraborty

....for the State.

1. Petitioner prays for bail.
2. Learned advocate appearing for the petitioner prays for bail primarily on the ground of period of incarceration in excess of six years and one month. He submits that, out of 41 charge-sheet named witnesses, only two were examined at the trial. Therefore, he contends that, there is hardly any possibility of the trial ending anytime soon.
3. Learned advocate appearing for the State submits that, out of 62 days of trial, defence took 16 adjournments when the prosecution took adjournment on two days. On six dates of trial, there were Resolutions of the Bar of and the Presiding Officer was not available for about 15 days.

4. Referring to the merits of the case, he submits that, the victim was initially assaulted at the club premises. When the victim was sought to be removed to the hospital, he was again assaulted causing the murder. The sharp cutting weapon was recovered from the possession of the petitioner.
5. Learned advocate appearing for the State on instructions submits that the State intends to examine in aggregate 22 witnesses. The next date fixed is February 25, 2025.
6. Petitioner stands implicated in the murder of the victim. Sharp cutting weapon used in the incident was recovered from his possession.
7. The defence contributed to the delay at the trial when they took adjournments on 16 days. Covid period in the interregnum cannot be overlooked also. In such conspectus, we are not inclined to grant bail to the petitioner.
8. We, however, request the learned trial court not to grant any unnecessary adjournments to any of the parties and endeavour to dispose of the trial as expeditiously as possible.
9. The prayer for bail is, thus, **rejected**.
10. CRM (DB) 3847 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)