

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. \_\_\_\_\_ OF 2021  
(Arising out of SLP (Crl.) No. 5772 of 2020)

RAKESH MISHRA ... Appellant(s)

VERSUS

THE STATE OF WEST BENGAL ... Respondent(s)

O R D E R

Leave granted.

Heard learned counsel for the parties.

We are appalled to notice that the appellant is in jail in connection with the crime registered by FIR No. 226 of 2009 for more than 12 years and the trial is still not concluded.

Resultantly, in the interest of justice, we direct that, during the pendency of Sessions Trial No.3(1) 2010 pending before Additional District & Sessions Judge, Fast Track Court-I, Sealdah, South 24 Parganas, the appellant (Rakesh Mishra) be released on bail to the satisfaction of the Trial Court in connection with FIR No. 226 of 2009 registered at Police Station-Berlkeldbanga, District-EST Kolkata, West Bengal and on such terms and conditions as may be imposed by the Trial Court.

As a result, we set aside the impugned order passed by the High Court. The appeal is allowed in the above terms.

We further direct the Trial Court to ensure that the trial is concluded not later than six months from receipt of copy of this order and submit compliance in that regard within the same period.

Pending applications, if any, stand disposed of.

.....J  
(A.M. KHANWILKAR)

.....J  
(B.R. GAVAI)

.....J  
(KRISHNA MURARI)

New Delhi  
January 18, 2021

ITEM NO.19 Court 5 (Video Conferencing) SECTION II-B

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s). 5772/2020

(Arising out of impugned final judgment and order dated 07-07-2020  
in CRM No. 3060/2020 passed by the High Court At Calcutta)

RAKESH MISHRA Petitioner(s)

VERSUS

THE STATE OF WEST BENGAL Respondent(s)

(IA No. 118974/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED  
JUDGMENT

IA No. 118976/2020 - EXEMPTION FROM FILING O.T.)

Date : 18-01-2021 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR

HON'BLE MR. JUSTICE B.R. GAVAI

HON'BLE MR. JUSTICE KRISHNA MURARI

For Petitioner(s) Mr. Prashant Shukla, Adv.  
Mr. Suyash Srivastava, Adv.  
Ms. Shreya Mishra, Adv.  
Mr. Satyajeet Kumar, AOR

For Respondent(s) Mr. Suhaan Mukerji, Adv.  
Mr. Vishal Prashad, Adv.  
Mr. Nikhil Parikshith, Adv.  
Mr. Abhishek Manchanda, Adv.  
M/S. Plr Chambers And Co., AOR

UPON hearing the counsel the Court made the following  
O R D E R

Leave granted.

The criminal appeal is allowed in terms of the signed order.

Pending applications, if any, stand disposed of.

(DEEPAK SINGH)  
COURT MASTER (SH)

(VIDYA NEGI)  
COURT MASTER (NSH)

[Signed order is placed on the file]