

18.09.2020.

Item No. 5

(Rejected)

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(Via Video Conference)

C.R.M. 6467 of 2020

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I.A. No. C.R.A.N. 1 of 2020

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Khejuri P.S. Case No. 225 of 2013 dated 05.09.2013 under Section 364(A) of the Indian Penal Code (G.R. Case No. 1058 of 2013);

And

In the matter of : **Sk. Naser @ Nacher Sekh @ Nasir Sk.**
and another ... petitioners.

Mr. Shibaji Kumar Das. ...For the petitioners.

Mr. Aniket Mitra. ...For the State.

The learned Advocate-on-Record of the petitioners undertakes to affirm and stamp the petition/application as per the Rules within forty-eight hours of resumption of the normal functioning of the Court. Subject to such undertaking and urgency the application is taken up for hearing.

Accordingly, the interlocutory application being IA No. CRAN 1 of 2020 is disposed of.

The learned Advocate for the petitioners submit that the petitioners are in custody for 496 days and charge-sheet has already been submitted in this case and the charge has already been framed. He further submits that considering such case further detention of the petitioners is unwarranted.

The learned Advocate for the State opposes the prayer for bail and draws attention of this Court to the statement under Section 164 of the Code of Criminal Procedure. He further submits that the petitioners are absconding for a

considerable period of time and earlier on several occasions the prayer for bail of the petitioners have been rejected.

We have perused the materials on record and we find that the petitioners' prayer for bail was rejected on 12th July 2019 in CRM 5960 of 2019, on 1st October 2019 in CRM 8937 of 2019, on 20th November 2019 in CRM 10756 of 2019 and lastly on 3rd February 2020 in CRM 848 of 2020.

Having perused the aforesaid orders, we are of the opinion that there are no change of circumstances from the earlier views taken by the Co-ordinate Bench of this Court.

Accordingly, the prayer for bail of the petitioners being CRM 6467 of 2020 is **rejected**.

(Tirthankar Ghosh, J.)

(Harish Tandon, J.)