

**31.05.2021**

**Sl. No.14**

Court No.30

BM

**CRM 1681 of 2021**

**(Via Video Conference)**

In Re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973.

And

**In the matter of : Sk. Salauddin & Ors.**

**... Petitioners**

Mr. Tapas Kumar Ghosh

Mr. Tanmoy Chowdhury ... for the petitioners

Mr. Madhu Sudan Sur, APP

Mr. Monoranjan Mahata ... for the State

Five accused petitioners amongst twenty accused persons charge sheeted in connection with Sainthia Police Station case No.86 of 2020 dated 23<sup>rd</sup> May, 2020 under Sections 341/302/34 of the Indian Penal Code and Sections 3/4 of the Explosive Substances Act have renewed their prayer for bail for the second time on the contention that they are languishing in jail for last 378 days since the date of their arrest. Learned counsel for the petitioners submits that they are not involved in the crime. On the other hand learned counsel for the State submits that 15 charge sheeted accused persons out of 20 are still absconding.

Having heard the learned counsel for both the parties and having regard to the gravity of the offence transpiring from the statement of the witnesses at pages 13, 14 and 18 of the case diary, the prayer for bail is refused.

The learned trial court is directed to take expeditious steps for trial of the case against the accused person in custody after filing of the cases against the absconding persons for the present pending WPA on completion of legal formality required under Section 82 of the Cr.P.C. and if the Court is satisfied that presence of absconding accused person cannot be secured within a reasonable time, having regard to the right of the petitioners in custody.

CRM 1681 of 2021 is, thus, disposed of.

**(Aniruddha Roy, J. )**

**( Shivakant Prasad , J. )**