

28.06.2021
Court No.30
Item No. 34
Krishnendu
Bail Rejected

CRM 10162 of 2020
(Via video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure ;

And

In Re : Alim Khan @ Ali @ Mubarak @ Md. Ali
Petitioner

Mr. Sanjib Mitra

For the Petitioner

Mr. Saswata Gopal Mukherjee, Id. P.P.

Mr. Neguive Ahmed

Ms. Zareen N. Khan

For the State

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Sinthi Police Station Case No. 52 of 2016 dated 04.05.2016 under sections 395/397 of the Indian Penal Code.

Mr. Mitra, learned advocate appearing for the petitioner submits that the petitioner is languishing in custody for about four years six months and there is no possibility towards early conclusion of the trial. In view thereof, further detention of the petitioner is not warranted.

Mr. Mukherjee learned Public Prosecutor appearing for the State opposes the petitioner's prayer for bail and submits that A.T.M. counters were looted by a group of five persons; out of whom the petitioner and another were arrested and three accused persons are still absconding till date. The petitioner has also been identified in the T.I. Parade. He further informs this Court that only two more witnesses are left for examination and in the said conspectus, the petitioner is not entitled to the relief, as prayed for.

We have heard the learned advocates appearing for the respective parties. It appears that there had been substantial progress in the trial. Considering the gravity of the offence and the extent of involvement of the petitioner in the alleged crime, we are not inclined to exercise any discretion in favour of the petitioner at this stage. As such, his prayer for bail is rejected.

Accordingly, the application for bail, being CRM No. 10162 of 2020 is disposed of.

(Suvra Ghosh, J.)

(Tapabrata Chakraborty, J.)