

17.03.2021
Item No.34
Ct.No.28
Subha
rejected

C.R.M. 11059 of 2020
(Via Video Conference)

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure.

In the matter of : **Ravi Kant @ Ravi Kant Chadda** ...
Petitioner.

Mr. Abhijit Kumar Chattopadhyaya
Mr. Sudip Ghosh Chowdhury
... For the Petitioner.

Mr. Saswata Gopal Mukherji, PP
Mr. Rudradipta Nandy
... For the State.

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Salanpur Police Station Case No. 51 of 2019 dated 17-04-2019 under Section 365 of the Indian Penal Code adding Sections 364A/120B of the Indian Penal Code(G. R. Case No. 857 of 2019).

Learned advocate for the petitioner submits that the petitioner is in custody for 588 days and he happens to be a transporter/hotelier and is unaware of the persons, who either hired the vehicle or used the hotel.

Additionally, the learned advocate for the petitioner submits that there has been no progress in the case since the bail was lastly rejected on 25th November, 2020 in CRM 7542 of 2020.

Mr. Mukherji, learned Public Prosecutor appearing for the State refers to an order dated 12th February, 2021 and submits that the petitioner has been delaying the course of trial. He also draws the attention of this court to the relevant statement of the witnesses and the role of the present petitioner.

We have perused the materials on record available in the case diary including the order dated 25th November, 2020 wherein the role of the present petitioner in abducting the victim has been elaborately dealt with.

Having regard to the incriminating materials appearing against the present petitioner, his complicity in the alleged offence and the nature and gravity of the present case, we are not inclined to grant bail to the present petitioner and as such, the prayer for bail of the present petitioner is rejected.

It is no doubt true that the trial has not seen a substantial progress in the matter and in fact one witness out of 12 charge-sheeted witnesses have been examined.

With the aforesaid observations, the application for bail being CRM 11059 of 2020 is, accordingly, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Harish Tandon, J.)

(Tirthankar Ghosh, J.)