

02.02.2022

Sl. 90
Court No.29
suvayan
(Rejected)

**C.R.M. (DB) 255 of 2022
(Via Video Conference)**

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 25.01.2022 in connection with **Krishnaganj** P.S. Case No. **315 of 2016** dated **12/08/2016** under Sections **341/326/307/34** of the Indian Penal Code.

And

In the matter of: Chand @ Chand Mohan Malakar @ Biswas
....petitioner.

Ms. Karabi Roy
...for the petitioner.

Mr. P. K. Datta
Mr. Santanu Deb Roy
...for the State.

Petitioner renews the prayer for bail.

Learned Advocate appearing for the petitioner submits that the petitioner is 72 years of age, the petitioner is in custody for 157 days. The police filed charge-sheet. There is hardly any possibility of the trial commencing in view one of the co-accused absconding.

Learned Advocate for the State submits that the petitioner was absconding for a period in excess of 3 years. He draws the attention of the Court to the injury report and the materials in case diary.

Considering the fact that the petitioner was absconding for 3 years and considering the gravity of the offence and involvement of the petitioner therein, we are unable to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is rejected.

C.R.M. (DB) 255 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)