

10.11.2022.
27.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 3654 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Paikar P.S. Case No.178 of 2020 dated 29.08.2020 under Sections 448/302/34 of the Indian Penal Code.

In the matter of : Rahul Sk @ Babu Sk.

... Petitioner.

Mr. Bitasok Banerjee.

...for the Petitioner.

Mr. Joydeep Roy,
Ms. Sujata Das.

...for the State.

Petitioner is in custody for more than two years.

Report is filed on behalf of the State wherefrom it appears delay in the matter is due to the abscondence of the co-accused.

In view of the aforesaid fact and the *prima facie* involvement of the petitioner in the crime, we are not inclined to grant bail to the petitioner at this stage.

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

Court below is directed to take necessary steps to ensure the attendance of the absconding accused and in the event, his attendance cannot be ensured in spite of exhaustion of all processes, the court shall declare him as proclaimed offender and commit the case to the Court of Sessions at the earliest.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)

