

31.01.2023

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rejected

C.R.M.(DB) No. 357 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bagnan Police Station Case No. 388 of 2010 dated 10.10.2010 under Sections 366/363/120B/201 of the Indian Penal Code.

And

In Re : Sk. Ahamed Ali @ Sk. Ahammad Ali petitioner

Mr. Rupam Mukhopadhyay
... for the petitioner

Mr. Bidyut Kumar Roy
Ms. Sima Biswas
... for the State

Learned Counsel appearing for the petitioner submits he is in custody for more than four years. He prays for bail.

Learned Counsel appearing for the State opposes the prayer for bail and submits he had absconded for a decade. Trial is in progress. Five witnesses have been examined.

We have considered the materials on record. Petitioner absconded for a protracted period of time. He was last seen with the victim who had been abducted. Trial is in progress. Five witnesses have been examined till date. Under such circumstances, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

Trial court is directed to expedite the trial and conclude the same as expeditiously as possible preferably within one year

from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)