

01.08.2023
tkm/ct 28
sl no. 26

C.R.M. (DB) 3005 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Burdwan P.S. Case No. 447 of 2020 dated 17.7.2020 under sections 395/397/326/307 IPC read with section 27 of the Arms Act

and

In Re : Raju Kumar Mali @ Aman @ Raj Kumar petitioner

Mr. Palash Ch Majhi

..... for the petitioner

Mr. R D Nandy

Ms. Sonali Das

..... for the State

Petitioner is in custody for more than two years. He submits that he was on interim bail which came to be cancelled by this court. Case has not been committed. There is little possibility of trial commencing let alone concluding in the near future. He prays for bail.

Learned lawyer for the State submits petitioner is a member of an organized gang of dacoits. He has criminal antecedents. One of the co-accused is detained in Bihar and others are facing trial in different districts of West Bengal.

We have considered the materials on record. Stolen article was recovered from the petitioner. He has criminal antecedents. Delay in the matter is on the ground co-accused are facing trial in different courts in the State and outside.

Under such circumstances and in view of the gravity of offence and as there is possibility of the petitioner reoffending if released on bail, we are not inclined to grant bail to the petitioner at this stage.

Accordingly, the prayer for bail is rejected.

We give liberty to the prosecution as well as the trial court to ensure attendance of the co-accused who are facing trial in other courts through video linkage in accordance with law.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)