

29.09.2023
Sl. No.28
akd
[Rejected]

C. R. M. (DB) 3758 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 20.09.2023 in connection with Jadavpore/D.D. Case No.391 of 2015 dated 18.09.2015 under Sections 120B/395/397 of the Indian Penal Code and Sections 25/27 of the Arms Act.

And

In Re: ***Rahim Ali @ Rehan Khan @ Lalchand @ Lalchhan***
... .. Petitioner

Mr. Angshuman Chakraborty
Mr. Shashanka Shekhar Saha
... .. for the petitioner

Mr. Pinak Kumar Mitra
... .. for the de-facto complainant

Mr. Neguive Ahmed .. Id. Addl. Public Prosecutor
Ms. Amita Gaur
... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about eight years. Accordingly, he prays for bail.
2. Report is placed on record. From the report it appears petitioner has criminal antecedents.
3. Learned Advocate for the de-facto complainant also opposes the prayer for bail.
4. We have considered the materials on record. Petitioner is involved in a case of dacoity using firearms. He was convicted in a similar case. A number of cases involving dacoity are pending against him. He had tried to flee from custody and another case was registered. In view of the aforesaid circumstances, we are of the opinion petitioner may abscond if he is released on bail and commit similar offences in future. Trial has attained a mature stage and examination of the accused under Section 313 of the Code of Criminal Procedure has

been conducted in part. Under such circumstances, we are not inclined to grant bail to the petitioner at this stage.

5. The application for bail is thus rejected.
6. Trial court is directed to conclude the trial at an early date preferably within six months from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.
7. Parties shall communicate a copy of this order to the trial court for due compliance.

(Partha Sarathi Sen, J.)

(Joymalya Bagchi, J.)