

04.10.2023.
37.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 3813 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Burrabazar P. S. Case No.211 of 2020 dated 31.10.2020 under Sections 394/397/307/34 of the Indian Penal Code and Section 25(1B)(a) of the Arms Act.

In the matter of : **Sikandar Ali @ Sikandar @ Rehan @ Sikku.**

... Petitioner.

Mr. Karan Sharma,
Md. Zohaib Rauf.

...for the Petitioner.

Mr. Neguive Ahmed, Id. A.P.P.,
Ms. Amita Gaur.

...for the State.

1. Petitioner is in custody for 564 days. He submits he is not the principal offender. He prays for bail.

2. Learned Advocate for the State opposes the bail prayer. He submits petitioner had assailed the framing of charge before this Court. This delayed the proceeding for a year. Five witnesses have already been examined.

3. We have considered the materials on record. Petitioner had absconded for a considerable period and was subsequently arrested. This contributed to the delay. His conduct does not inspire confidence. There is possibility that the petitioner shall abscond if released on bail.

4. Hence, we are not inclined to grant bail to the petitioner.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)