

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE**

27.02.2023.
98/tkm

C.R.M. (DB) 62 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Siliguri P.S case no.1138 of 2020 dated 27.8.2020 under sections 341/506/326/307/379/34 IPC

and

In the matter of : Pritam Gupta @ Bablu Petitioner

Mr. Abhra Jana
Mr. S Dutt

...for the Petitioner

Mr. A S Chakraborty

...for the State.

Petitioner is in custody for 912 days. He submits there is delay in trial. He prays for bail. Report is placed on record.

Learned lawyer for the State opposes the bail prayer.

We have considered the materials on record including the report. From the report it appears that three other accuseds are absconding. As a result there was delay. Prayer has been made for proclamation and attachment against the said accuseds. Statements of witnesses implicate the petitioner in the murder.

Under such circumstances, we are not inclined to grant bail to the petitioner on merits.

Accordingly, prayer for bail is rejected.

Learned magistrate is requested to consider the prayer of the State and pass appropriate order declaring the absconding accuseds as proclaimed offenders and commit the case so far as the petitioner is concerned at the earliest.

(Subhendu Samanta,J.)

(Joymalya Bagchi, J.)