

31.01.2024

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rejected

C.R.M.(DB) No. 290 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Pragati Maidan Police Station Case No. 120 of 2013 dated 20.03.2013 under Sections 147/148/149/302/307 of the Indian Penal Code.

And

In Re : Jyoti Roy @ Langra Jyoti @ Bikram Roy @ Jyoti Petitioner

Mr. Debapriya Majumder

....for the petitioner

Mr. Suman De

..... for the State

1. Learned Counsel for the petitioner submits he is in custody for four years and nine months. It is also submitted co-accused has been enlarged on bail in CRA 241 of 2018. Accordingly, he prays for bail.

2. Learned Counsel for the State opposes the prayer for bail and submits petitioner had absconded for more than six years. Trial is in progress.

3. We have considered the materials on record. Petitioner had absconded for more than six years. He was declared proclaimed offender and co-accused has been enlarged on bail in view of the long pendency of the appeal before this Court. Petitioner had absconded for a protracted period of time and cannot take advantage of the bail order passed in CRA No. 241 of 2018. Under such circumstances, we are not inclined to grant bail to the petitioner.

4. The application for bail is, thus, rejected.

5. Trial court is directed to expedite the trial and conclude the same at the early date.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)