

29.02.2024
Sl. No.44
akd
[Rejected]

C. R. M. (DB) 343 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 29.01.2024 in connection with Bagnan Police Station FIR Case No.285 of 2021 dated 09.06.2021 under Sections 379/511/427 of the Indian Penal Code read with Sections 15/16 of the Petroleum and Mineral Pipe Line (Acquisition of Right of user in Land) Act, 1962, Sections 3/4 of the PDPP Act and Sections 3/4 of the Explosive Substances Act.

And

In Re: ***Ram Narayan Yadav @ Narayan @ Munna***
... .. Petitioner

Ms. Devi Priya Mitra
... .. for the petitioner

Ms. Sharmistha Ghosh
Mr. Amit Ghosh
Mr. Anirban Dutta
... .. for the de-facto complainant

Mr. Sujoy Sarkar
... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about two years and five months. Co-accused have been enlarged on bail. There is no possibility of trial concluding in the near future. Accordingly, he prays for bail.
2. Learned Advocates for the State as well as the de-facto complainant oppose the prayer for bail. They submit petitioner is the kingpin of an organised racket who had pilfered crude oil from IOC pipeline. A number of cases are pending against the petitioner in this State as well as in the State of Jharkhand.
3. We have considered the materials on record. Allegations show petitioner is the mastermind of an organised racket. They were pilfering crude oil from IOC pipeline. A number of cases are pending against the petitioner in various States. In view of his criminal antecedents spanning across different States, we are of the opinion

petitioner does not stand on the same footing with co-accused who have been enlarged on bail. Trial is in progress. Offences, if proved, would attract imprisonment upto ten years.

4. Under such circumstances and in view of the gravity of offence, 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 conduct the trial with utmost expedition by fixing schedules at short intervals and conclude the same at an early date preferably within one year 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.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)