

22.04.2024
Sl. No.22
akd
[Rejected]

C. R. M. (DB) 750 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 27.02.2024 in connection with Salanpur Police Station Case No.51 of 2019 dated 17.04.2019 under Sections 365/364A/120B of the Indian Penal Code.

And

In Re: **Abhishek Chowdhury @ Abhishek Kumar Choudhary**
... .. Petitioner

Mr. Ayan Basu
Sk. Salim
Mr. Sumit Routh

... .. for the petitioner

Mr. Madhusudan Sur .. Id. Addl. Public Prosecutor
... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for more than four years. It is further submitted petitioner is a physically challenged person and the allegation that he was involved in kidnapping the victim is false. There is delay in trial. Accordingly, he prays for bail.
2. Learned Additional Public Prosecutor opposes the prayer for bail. Report is placed on record.
3. We have considered the materials on record. Petitioner was involved in kidnapping a person for ransom. He is involved in an organised crime activity. Co-accused were arrested from Bihar and have been produced before the court for consideration of charge. It is also relevant to note that one co-accused had run away from jail and is still absconding. In view of the nature of crime and the involvement of the petitioner in organised crime activity with interstate criminals, we are of the opinion this is not a fit case to grant bail to the petitioner at this stage.

4. The application for bail is thus rejected.
5. Trial court is directed to consider the issue of framing of charge of the co-accused and proceed with the trial with utmost expedition and conclude the same at an early date.
6. Parties shall communicate a copy of this order to the trial court for due compliance.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)