

14.08.2024
Item no. 44.
Court No.28.
AB
(Rejected)

CRM (DB) 2120 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Singur Police Station Case No.165 of 2021 Dated 18.6.2021 under Sections 392/302 of the Indian Penal Code read with Sections 25/27 of the Arms Act

And

In the matter of : Md. Irshad Alam @ RajuPetitioner.

Mr. Suman Chakrabortyfor the Petitioner.

Mr. Antarikhya Basu
Mr. Asraf Mondalfor the State.

Dictated by Partha Sarathi Sen, J.

1. It is submitted on behalf of the petitioner that considering the long detention of the present accused petitioner, the instant application for bail may be considered favourably.
2. It is further submitted that for a considerable period of time, charge was not considered as against the present petitioner.
3. While opposing the prayer for bail, learned Advocate for the State submits a report, which is taken on record.
4. On perusal of the entire materials as placed before us, it reveals that the charge could not be considered

by the learned Trial Court on account of the absence of the other co-accused persons, who are on bail.

5. From the materials as placed before us, it reveals that the present petitioner is the driver of the vehicle wherefrom the pillion rider shot the bullet.
6. Considering such circumstances, we are not inclined to allow the petitioner's prayer for bail, at this stage.
7. The prayer for bail is, accordingly, rejected.
8. CRM (DB) 2120 of 2024 is dismissed.
9. Before parting, we direct the learned Trial Court to take steps for splitting up the trial as against the absconding accused and proceed with the consideration of the charge as against this petitioner positively within a month from the date of communication of this order.
10. Learned Trial Court is directed to act on the server copy of this order.
11. The parties shall communicate this order to the learned Trial Court.
12. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Arijit Banerjee, J.)

(Partha Sarathi Sen, J.)

