

28.
18-09-2024
(ct. no.28)
debajyoti
(rejected)

CRM (DB) 2340 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Domjur Police Station Case No.425 of 2022 dated 15-05-2022 under Sections 302/34 of the Indian Penal Code.

- A n d -

In the matter of : Provat Das @ Pravat Das @ Aloo
.... Petitioner.

Mr. Soumyajit Das Mahapatra,
Mr. Soumya Basu Roy Chowdhuri
... For the Petitioner.

Mr. Antarikhya Basu,
Ms. Ankita Pal
... For the State.

Dictated by Apurba Sinha Ray, J.

Learned advocate for the petitioner submits that the petitioner is in custody for two years three months and other accused persons have been granted bail. Accordingly, he may be enlarged on bail on any condition.

Learned counsel, appearing for the State, opposes the prayer for bail. According to him, it is the accused persons who took adjournments on several pretext. Moreover, a coordinate Bench has clearly mentioned in its order dated August 22, 2023 that the present petitioner is the principal accused who had fired at the victim.

We have gone through the material on record and it appears therefrom that there were adjournments at the instance of the accused persons. The statements of witnesses recorded under Section 164 have clearly implicated the present petitioner as the principal assailant. Moreover, there

is a report showing that the present petitioner is a habitual criminal and has certain criminal antecedents.

Considering all aspects of the matter, we are not inclined to allow the prayer of the petitioner for bail. The application for bail being CRM (DB) 2340 of 2024 is, thus, **dismissed**.

However, the learned trial Judge is directed to expedite the trial of the case as much as possible.

Parties shall communicate this order to the learned trial Court forthwith.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)