

49.
24-09-2024
(ct. no.28)
debajyoti
(rejected)

CRM (DB) 2566 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 Naihati G.R.P.S Case No.38 of 2013 dated 25-09-2013 under Sections 302, 326, 307 & 34 of the Indian Penal Code read with Sections 25 & 27 of the Arms Act.

- A n d -

In the matter of : Bikki Prasad Ram @ Vicky @ Vicky Ram Prasad
.... Petitioner.

Mr. Siddhartha Sarkar,
Mr. Hirak Roy

... For the Petitioner.

Mr. Ranabir Roy Chowdhury,
Mr. Nirupam Dhali

... For the State.

Dictated by Apurba Sinha Ray, J.

Learned counsel for the petitioner submits that the petitioner is in custody for 448 days. The other accused persons are on bail. He may be granted bail on any condition.

Learned counsel for the State submits that previously the present petitioner was granted bail. But he misused the liberty and absconded for more than five years and, if, he is enlarged on bail, the prosecution may suffer. It is further submitted that since the petitioner was absconding for a long period of time, the charge could not be framed.

We have gone through the material on record and we find sufficient incriminating evidence against the present petitioner. The charge is of murder. The petitioner has misused his liberty and if the petitioner is granted bail, he

may again abscond. The prayer of the petitioner for bail is, thus, rejected.

The application for bail being CRM (DB) 2566 of 2024 is, thus, **dismissed**.

However, since the petitioner is in custody for quite some time, learned trial Court is requested to expedite the trial to the extent possible and conclude the trial as early as possible.

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.)