

58.
07-10-2024
(ct. no.28)
debajyoti
(rejected)

CRM (DB) 2663 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 New Town Police Station Case No.314 of 2023 dated 06-10-2023 under Sections 364A/302/120B/201/34 of the Indian Penal Code.

- A n d -

In the matter of : Sushanta Ghosh @ Pappu

.... Petitioner.

Mr. Ajay Debnath

... For the Petitioner.

Mr. Subhamoy Bhattacharya,
Mr. Bikram Mitra

... For the State.

Mr. Kajal Mukherjee,
Mr. Bikash Chakraborty

... For the defacto complainant.

Dictated by Apurba Sinha Ray, J.

Learned advocate for the petitioner says that the petitioner is in custody for 1 year 1 day and there are 52 witnesses in the charge sheet. There is no chance of an early conclusion of the trial. As investigation is complete, the petitioner may be granted bail on any condition.

Learned advocate for the State raises strong objection to the bail prayer. According to him, there is sufficient incriminating material showing that the present petitioner was hand in glove with another accused and committed murder of the son of the defacto complainant, after kidnapping him and demanding ransom from him. If the

present petitioner is enlarged on bail, the prosecution may suffer a lot.

Learned advocate for the defacto complainant also strongly opposes the prayer for bail.

We have gone through the material in the Case Diary. It appears that there are sufficient incriminating materials against the present petitioner including the CCTV footage showing the complicity of the present petitioner in commission of the offence.

Considering the entire material on record, we are not inclined to allow the prayer of the petitioner for bail, at this stage.

The application for bail being CRM (DB) 2663 of 2024 is, thus, **dismissed**.

However, since the petitioner has been in custody for more than a year, we request the learned trial Court to expedite the trial to the extent possible and conclude the same on an early date.

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.)