

03.12.2024
Item no. 52.
Court No.29.
AB
(Rejected)

CRM (DB) 3072 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Samserganj P. S. Case No. 110 of 2024 Dated 24.2.2024 under Section 489B 489C of the Indian Penal Code

And

In the matter of : Morsalim Sk.

.....Petitioner.

Mr. Sabyasachi Mukherjee
Mr. Poulam Dey,
Mr. Mukesh Khanna,
Ms. Ankita Nandy
Mr. Mrinmoy Nandy
Mr. Shan Md. Umer Edne Sadhique
.....for the Petitioner.

Mr. Subhomay Bhattacharya
Ms. Debjani Sahu
.....for the State.

Dictated by Apurba Sinha Ray, J.

1. Learned Counsel for the petitioner has submitted that the petitioner has been falsely implicated in this case. Since investigation is complete and there is no possibility of an early conclusion of the trial, he may be granted bail on any condition.
2. While opposing the prayer for bail, learned Advocate for the State has submitted that the next date for framing of charge has been fixed tomorrow (04.12.2024). If the petitioner is enlarged on bail, the prosecution may suffer.

3. We have considered the materials on record. We do not find any delay caused in trial from the side of the Investigating Agency or from the prosecution side. There are sufficient materials against the present petitioner and the offence alleged to have been committed is very serious in nature.
4. In view of the aforesaid, we are not inclined to grant bail to the petitioner.
5. The prayer for bail is rejected.
6. CRM (DB) 3072 of 2024 is dismissed.
7. Since the petitioner is in custody for about 283 days, we request the learned Trial Court to expedite the trial to the extent possible and conclude the same on an early date.
8. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)