

24.12.2024
Item no.38.
Court No.29.
S. De
(Rejected)

CRM (DB) No. 3709 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita 2023.

And

In the matter of : Christopher Narh & Anr.

.....Petitioners.

Mr. Kishan Shaw,for the Petitioners.

Ms. Anasuya Sinha, Ld. APP,
Mr. Subham Bhakat,for the State

Dictated by Partha Sarathi Sen, J.

1. It is submitted on behalf of the petitioners that the present accused petitioners are citizens of Ghana and they have been falsely implicated in the instant case. It is contended further that considering the period of detention for more than 1 year 7 months, the instant application for bail may be considered favourably.
2. Learned advocate for the petitioners further submits that if on bail, the present two accused petitioners shall keep their Passport deposited with the Investigating Officer.
3. Such prayer for bail is opposed on behalf of the State.

4. Our attention is drawn to the statement of the victim as recorded under Section 164 Cr.P.C.
5. On perusal of such statement, we find direct allegation as against the present two accused petitioners with regard to the alleged crime. It is reported that the evidence of the victim has not yet been completely recorded.
6. Considering such circumstances and considering the serious nature of the crime, we are not inclined to allow the petitioners' prayer for bail.
7. Accordingly, CRM (DB) 3709 of 2024 is dismissed.
8. Before parting with, we must record that we feel that the progress of the trial is very much slow either on account of non-availability of the chargesheet named witnesses or on account of non-availability of the seized articles.
9. In view of such, we request the learned Trial Court as well as the prosecution to make all possible endeavour to expedite the trial and come to a logical conclusion of the same at the earliest.
10. Let this order be communicated by the parties to the learned Trial Court.

(Partha Sarathi Sen, J.)

(Arijit Banerjee, J.)