

03.01.2024.
40.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 4813 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Nayagram P.S. Case No.17 of 2013 dated 22.05.2013 under Sections 406/409/420/34 of the Indian Penal Code and Sections 13(1)(c)/13(2) of the Prevention of Corruption Act.

In the matter of : **Bhagyadhar Nayek.**

... Petitioner.

Mr. Surajit Basu.

...for the Petitioner.

Mr. Debasish Roy, Id. P.P.,
Mr. Rudradipta Nandy, Id. A.P.P.,
Ms. Manasi Roy.

...for the State.

1. Petitioner is in custody for 275 days. He submits he has been falsely implicated. There is no possibility of trial concluding in the near future. Accordingly, he prays for bail.

2. Learned Advocate for State opposes the bail prayer. He submits petitioner had absconded for more than a decade.

3. We have considered the materials on record. Allegations involve illegal misappropriation of funds allotted for development work by a public servant. Petitioner had absconded for a protracted period of time. Date has been fixed for consideration of charge.

4. Under such circumstances, we are of the opinion this is not a fit case to grant bail to the petitioner at this stage.

5. Accordingly, the prayer for bail of the petitioner is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)