

10.01.2024
tkm/ct 28
sl no. 54

C.R.M. (DB) 65 of 2024

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with English Bazar P.S case no. 1629 of 2022 dated 28.10.2022 under sections 489B/489C/34 IPC
and

In Re : Rahul Kumar &Ors. petitioners

Mr. M Chatterjee
Mr. Wasim Akram

..... for the petitioners

Mr. Iqbal Kabir

..... for the State

1. Petitioner is in custody for 15 months. He renews his bail prayer.
2. Learned lawyer for the State opposes the bail prayer.
3. We have considered materials on record. Bail prayer of the petitioner was rejected earlier on merits. Delay is due to abscondence of the co-accused.
4. Under such circumstances, we are not inclined to grant bail to the petitioner.
5. Accordingly, the prayer for bail is rejected.
6. We request the trial court to exhaust all processes to ensure the attendance of the absconding accused persons and in the event such attendance cannot be procured inspite of all efforts, to declare them as proclaimed offenders and proceed to the next stage of trial and conclude the proceeding at an early date.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)