

43.
24-02-2025
(ct. no.29)
S. De
(**Rejected**)

CRM (DB) 149 of 2025

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure as amended under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

And

In the matter of : Piyaarul Sk. @ Piyaarul Sekh.Petitioner.

Mr. J.I. Hossain,for the Petitioner.

Mr. Sumon Dey,
Mr. Asraf Mondal,for the State.

Dictated by Arijit Banerjee, J.

1. The petitioner renews his prayer for bail which was last rejected on merits on September 22, 2023, in CRM (DB) 3683 of 2023. He says that he is in custody for 2 years and 2 months. Witness action has not yet begun. On the ground of delay, he renews his prayer for bail.
2. Learned State advocate tells us that delay in trial has been due to the absconsion of co-accused person. 3 co-accused persons are still absconding. Steps have been taken against them, in accordance with law. The trial has since been split up and the date for recording of evidence has been fixed. In fact, January 31, 2025, was the date fixed for recording of evidence.
3. Our attention has been drawn to the material in the case diary including the statements of eye-witnesses recorded under Section 161 Cr.P.C. (Section 180 of the Bharatiya Nagarik Suraksha Sanhita, 2023). They squarely and clearly implicate this petitioner. He brutally murdered his mother.
4. In view of the strong incriminating material against the petitioner and in view of the fact that the prosecution is not

responsible for the delay in progress of trial, if any, we are not inclined to entertain the petitioner's prayer for bail, at this stage.

5. CRM (DB) 149 of 2025 is dismissed.

6. 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.)