

44.
24-02-2025
(ct. no.29)
S. De
(**Rejected**)

CRM (DB) 155 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 : Abdul Hamid Mondal @ Balai.

.....Petitioner.

Mr. Soumya Nag,

Mr. Rajdeep Sengupta,for the Petitioner.

Mr. Avishek Sinha,

Mr. Bikram Mitra,for the State.

Mr. Kalyan Chatterjee,

Ms. Sudeshna Mondal, ...for the de facto complainant.

Dictated by Arijit Banerjee, J.

1. The petitioner says that he is in custody for about 240 days. Beyond filing of chargesheet, nothing has happened. There is no incriminating material against him. His further custodial detention is unnecessary. 4 co-accused persons have been granted bail. He prays for bail.
2. Opposing the prayer, learned State counsel and learned advocate for the de facto complainant have drawn to our attention is the statements of witnesses recorded under Section 164 Cr.P.C. (Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023). They squarely and clearly implicate this petitioner as the prime assailant.
3. Learned State advocate further tells us that there is a dying declaration of one of the two victims naming this petitioner as the murderer. The offending weapons were seized at the instance of this petitioner.

4. We further see that the petitioner was absconding for 1 year and 7 months. Only when his application for anticipatory bail was rejected, he surrendered before the police.
5. In view of the aforesaid and the conduct of the petitioner, we are not inclined to entertain the prayer for bail of the petitioner, at this stage.
6. CRM (DB) 155 of 2025 is dismissed.
7. 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.)