

CRM (DB) 252 of 2025

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of the Bhartiya Nagarik Suraksha Sanhita in connection with Ekbalpore Police Station DD Case No.512 of 2022 dated 02-11-2022 under Sections 365, 395, 120B of the Indian Penal Code.

- A n d -

In the matter of : Pravat Kumar Bera @ Khokon @ Pravat
.... Petitioner.

Mr. Shibaji Kumar Das
... For the Petitioner.

Mr. Ranabir Roy Chowdhury,
Mr. Subham Bhakat
... For the State.

Dictated by Arijit Banerjee, J.

1. Status report filed by the State be kept with the records.

2. The petitioner is aggrieved that he is in custody for about 2 years 3 months. Only 3 out of 40 charge sheet named witnesses have been examined. He prays for bail on the touchstone of Article 21 of the Constitution of India.

3. Learned State advocate tells us, with reference to the status report, that the prosecution intends to examine 30 witnesses. The petitioner is an ex police officer. He committed the crime while he was in service. The charge is serious, i.e., under Sections 365/395/120B of the Indian Penal Code.

4. The police personnel are supposed to be enforcers of law. It is extremely culpable when a protector of law breaks

the law and commits a heinous crime, by taking advantage of his position as a public officer. There is no guarantee that if released on bail, such a person will not commit similar type of offence. Police officers are meant to protect the public. If such officers indulge in criminal activities like abduction, dacoity, etc., public confidence in the law enforcement system will dwindle altogether.

5. We are not inclined to allow the petitioner's prayer for bail. The application for bail is, thus, **dismissed**.

6. We make it clear that these observations are only for the purpose of deciding this bail application and shall have no bearing whatsoever on the trial.

7. However, noting that the petitioner is in custody for quite some time, we direct the learned trial Court to expedite the trial to the fullest extent possible and conclude the same on an early date without granting unnecessary adjournments to either of the parties and if necessary, by fixing frequent schedules of 2/3 days each, for examination of witnesses.

8. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

9. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)