

32. 12.03.2025
Court
No.29 (Pritam)
(Rejected)

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 263 of 2025

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, arising out of **Harishchandrapur** Police Station Case No.**385/2022** dated **15.05.2022** under Sections **302/201/120B/34** the IPC, 1860.

And

In the matter of: - **Ruhul Amin.**

.....petitioner.

Mr. Md. Wasim Akram

...for the petitioner.

Mr. Asfak Ahammed

...for the *de-facto*.

Ms. Amita Gaur,
Ms. Singdha Saha

....for the State.

Dictated by Arijit Banerjee, J.

1. The petitioner says that he has been falsely implicated. He has no role to pay in the alleged offence of abduction and murder. He is in custody for 8 (eight) months. He seeks bail.
2. Learned State advocate and learned advocate for the *de-facto* complainant strongly oppose the bail prayer. They draw our attention to the material in the case diary. We have seen statements of witnesses recorded under Section 161 Cr.P.C. They implicate the petitioner by name.

3. The petitioner says that he claims parity with *Md. Dulal @ Saddam Hossain*, who was granted bail on June 8, 2023 by a co-ordinate bench in CRM (DB) 2156 of 2023. We are not of the view that the petitioner stands on the same footing as *Saddam Hossain* since the petitioner was absconding for more than two years. His absconsion caused delay in the trial. If granted bail, there is likelihood that the petitioner may abscond again. In view of the aforesaid and in view of his *prima facie* complicity in the alleged offence, we are not inclined to entertain the petitioner's prayer for bail, at this stage.
4. The prayer for bail is, thus, **rejected**.
5. CRM (DB) 263 of 2025 is disposed of.

(Arijit Banerjee, J.)

(Om Narayan Rai, J.)