

24.03.2025
Item no. 29.
Court No.29.
AB
(Rejected)

CRM (DB) 342 of 2025

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Beldanga P.S. Case No.518 of 2020 Dated 04.12.2020 under Section 341/302/34 of the Indian Penal Code read with Sections 3 /4 of the Explosive Substance Act and under Sections 25/27 of the Arms Act

And

**In the matter of : Abu Sufian @ Bhutal @ Sk. Abu Sufian
@ Abu Sufiyan Sk.**

.....Petitioner.

Mr. S. Das Mahapatrafor the Petitioner.

Ms. Faria Hossain
Mr. Subham Bhakatfor the State.

Dictated by Arijit Banerjee, J.

1. The petitioner renews his bail prayer which was rejected earlier at least on three occasions and lastly on August 7, 2024, in CRM (DB) 2491 of 2024. While rejecting his bail prayer, a Coordinate Bench had requested the learned Trial Court to conduct the trial on a day to day basis and conclude the same on an early date preferably within one year from the next date fixed for recording evidence without granting any unnecessary adjournment to any of the parties.
2. The petitioner says that the said order has not had desired effect. Only 15 out of 28 charge sheet named witnesses have been examined till date. He is in custody for about four years four months.

3. Learned State Counsel tells us that the prosecution does not intend to examine all 28 charge sheet named witnesses. The next date after August 7, 2024, was October 7, 2024. Therefore, the prosecution has time till October 6, 2025 to conclude the trial. The trial shall definitely be concluded within that date.
4. We see that prima facie there is incriminating material against the petitioner. The charge is of murder. If convicted, the petitioner will have to suffer mandatory life sentence.
5. In view of the aforesaid and in view of the fact that the time for the trial to conclude has not yet elapsed, as granted by a Coordinate Bench, we are not inclined to allow the petitioner's prayer for bail, at this stage.
6. The prayer for bail is rejected.
7. CRM (DB) 342 of 2025 is dismissed.
8. If the trial does not conclude within the time period granted by the Coordinate Bench, as noted above, the petitioner will be at liberty to renew his prayer for bail.
9. 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.)

