

07.04.2025

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C.R.M. (DB) 444 of 2025

In the matter of : Ram Narayan Yadav @ Narayan @ Munna
... Petitioner.

In Re: An application under Section 439 of the Code of Criminal Procedure, 1973/under Section 483 of Bhartiya Nagarik Suraksha Sanhita, 2023 filed on 22nd January, 2025 in connection with Bagnan Police Station Case no. 285 of 2021 dated 09.06.2021 under Sections 379/511/427 of the Indian Penal Code read with Sections 15/16 of the Petroleum and Mineral Pipe Line (Acquisition of Right of User in Land Act) 1962 and under Sections 3/4 of the Protection of Damage to Public Property Act, 1984 and under Sections 3/4 of Explosive Substances Act. 1908.

Mr. Ayan Basu
Sk. Salim
Mr. Sumit Routh

... For the Petitioner.

Mr. Ranadeb Sengupta
Mr. Santanu Talukder

... For the State

Report submitted by the State is taken on record.

Allegation against the petitioner is extremely serious in nature. Bail prayer of the petitioner has been turned down by this Court on earlier occasions. Such prayer has also been turned down by the Hon'ble Supreme Court on 26th July, 2023. The petitioner seeks bail solely on the ground of delay in trial. Learned counsel for the petitioner submits that out of 17 witnesses only one witness has been examined in part despite direction of this Court to expedite the trial.

Learned counsel for the State submits that out of 17 prosecution witnesses 10 are police personnel. Remaining 7 witnesses are public witnesses including Indian Oil Corporation officials.

Upon consideration of the material on record particularly the observation made by this Court in the earlier orders rejecting the prayer of the petitioner, prayer for bail is rejected at this stage.

Considering the period of detention of the petitioner, learned trial Court is directed to take the proceeding to its logical conclusion as expeditiously as possible without granting any unnecessary adjournment to either of the parties, in accordance with law.

If the witnesses are unable to appear before the learned trial Court for adducing evidence physically, their evidence may be recorded through video conferencing.

The application for bail is disposed of.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)