

08. 07.03.2025
Court
No.29 (Tanmoy)

Rejected

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

CRM (DB) 496 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 Jorasanko P.S. Case No.204/2021 dated 18.9.2021.

And

In the matter of: - **SUJIT KUMAR @ BAUWA**

...petitioner.

Mr. Kumar Shanti Deep
Mr. Sujoy Sarkar
Mr. Prasun Mukherjee
Ms. Kanchan Roy

...for the petitioner.

Mr. Rudradipta Nandy, APP
Mr. Mujibar Ali Naskar

...for the State.

Dictated by Arijit Banerjee, J.

1. The petitioner prays for bail saying that he is in custody for three years and five months. He complains of inordinate delay in progress of the trial. He says that there was no recovery from him. He has been falsely implicated in this case of dacoity.
2. Learned State Counsel files a report. Let the same be kept with the records.
3. From the report we find that the State proposes to examine 13 out of 20 charge-sheet named witnesses, of which four witnesses have already been examined. The report states that the trial should conclude within the next six months. We see that this petitioner was identified in the Test Identification (T.I.) Parade. There is *prima facie* sufficient incriminating material against him. If convicted of the offence charged with, the petitioner may have to undergo life imprisonment. The

petitioner is a resident of Bihar. There is every likelihood of the petitioner absconding if released on bail.

4. In view of the aforesaid, we are not inclined to entertain the petitioner's prayer for bail, at this stage. The prayer for bail is rejected.
5. The application being CRM (DB) 496 of 2025 is accordingly dismissed.
6. However, since the State says that the trial should conclude within the next six months, if the trial does not conclude within that time-period, the petitioner may renew his prayer for bail.

(Prasenjit Biswas, J.)

(Arijit Banerjee, J.)