

03.04.2025

Item No.45

Ct.No.34

rc.

Reject

C.R.M. (DB) 586 of 2025

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure read with Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Burdwan Police Station Case No. 447 of 2020 dated 17.07.2020 under Sections 395/397/326/307 of the Indian Penal Code read with Section 27 of the Arms Act.

And

In Re : **Raju Kumar Mali @ Aman @ Raj Kumar**
... Petitioner.

Mr. Palash Chandra Majhi ... for the Petitioner

Mrs. Rituparna De Ghose
Ms. Eshita Dutta

... For the State.

Prayer for bail of the petitioner was turned down by this Court on earlier occasions considering the implication of the petitioner in the crime.

Learned counsel for the petitioner submits that the petitioner is in custody for more than three years and out of 47 charge sheeted witnesses, 9 witnesses have been examined till date. Further detention of the petitioner is not required.

Learned counsel for the State produces the Case Diary and opposes the prayer. Learned counsel submits that the prosecution proposes to examine 33 witnesses out of whom 9 witnesses have been examined. Learned counsel takes this Court to an order passed by this Court on November 06,

2024 turning down the bail prayer of the co-accused Vikash Singh @ Veekash Singh @ Shankar Singh @ Shankar Singh Bhaghal @ Alok wherein this Court directed the learned trial Court to conclude the trial preferably within one year from the next date fixed for recording evidence without granting adjournments to either of the parties. Learned counsel submits that the date for recording evidence was January 19, 2025, meaning thereby, that the learned trial Court was directed to conclude trial within January 18, 2026.

Since the present matter pertains to the same proceedings where such direction has been given by this Court and also, as the earlier prayers made by the petitioner have been turned down by this Court on merits, prayer of the petitioner cannot be allowed at this stage prior to the expiry of the timeframe fixed by this Court for completion of trial.

The prayer for bail is rejected at this stage.

The application is disposed of.

Case Diary is returned.

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

(Suvra Ghosh, J.)