

20.03.2025
Item no. 34.
Court No.29.
S. De
(Rejected)

CRM (DB) No. 567 of 2025

In Re: An application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

And

In the matter of : Durlav @ Dulal Roy. ...Petitioner.

Mr. Suvadip Bhattacharjee,
Mr. Boloram Patra, ...for the Petitioner.

Mr. Joydeep Roy,
Ms. Snigdha Saha, ...for the State.

Dictated by Arijit Banerjee, J.

1. Service report as well as status report filed by the State, be kept with the records.
2. In spite of service, nobody appears for the de facto complainant/victim.
3. The petitioner complains that he has been falsely implicated. He is in custody for close to a year. Not a single witness has been examined in full. There are 37 chargesheet named witnesses. There is no such material against him as would justify his further custodial detention.
4. Learned State counsel, while opposing the prayer for bail, draws our attention to the material in the case diary. The Call Details Report shows exchange of several phone calls between the victim and the petitioner close to the time of the alleged murder. The tower location also indicates the presence of the petitioner in the

vicinity of the victim girl. There are other materials in the case diary which prima facie, implicate this petitioner.

5. In view of the aforesaid, we are not inclined to entertain the bail prayer of the petitioner, at this stage.
6. CRM (DB) 567 of 2025 is dismissed.
7. We notice that only 3 prosecution witnesses have been examined in part, till date. April 11, 2025 is the next date fixed by the learned Trial court.
8. Considering that the petitioner is in custody for almost 1 year, we direct the learned Trial Court to expedite the trial to the fullest extent possible and conclude the same on an early date.
9. Let this order be communicated by the parties to the learned Trial Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)