

C.R.M. (DB) 618 of 2025

In Re : An application for bail under Section 483 of BNSS, 2023 filed in connection with Manikchak Police Station Case No. 69 of 2023 dated 02.02.2023 under Sections 323/302/34 of the Indian Penal Code.

And

In Re : **Dilip Rabidas** ... Petitioner.

Mr. Amitabha Karmakar

Mr. A. K. Bhowmick ... for the petitioner.

Mr. Partha Pratim Das

Mr. A. Verma ... for the State.

Heard learned counsels for the parties.

The petitioner is in custody for more than 2 years. Bail prayer of the petitioner was turned down by this Court on merits on 23rd August, 2023. The petitioner renews his prayer for bail.

Learned counsel for the petitioner submits that only 3 out of 15 witnesses have been examined so far and chance of conclusion of trial in near future is bleak. Further detention of the petitioner is not required.

Opposing the prayer, learned counsel for the State submits that out of the 3 witnesses examined, one witness has identified the petitioner as one of the assailants.

Material available on record suggests involvement of the petitioner in the alleged offence.

Having considered the material on record it appears that one of the witnesses has identified the petitioner as one of the alleged miscreants in his evidence. Allegation against

the petitioner is under Section 302 of the Indian Penal Code which provides for mandatory sentence of life imprisonment, if offences are substantiated.

Considering the material available on record, this Court is of the view that this is not a fit case where the petitioner can be enlarged on bail at this stage. Prayer for bail is rejected at this stage.

However, considering the period of detention of the petitioner, the 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.

The application for bail is thus disposed of.

Case Diary be returned.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

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

(Suvra Ghosh, J.)