

16.
04-03-2025
(ct. no.29)
pg/RUP
(Rejected)

CRM (DB) 688 of 2025

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 in connection with Farakka Police Station Case No.11 of 2024 dated 17-01-2024 under Sections 302/201/34 of the Indian Penal Code.

- A n d -

In the matter of : Roshan Jamadar @ Dolu

.... Petitioner

Ms. Minoti Gomes
Ms. Benajir Hasna
Ms. Alivi Islam

... For the Petitioner

Mr. Avishek Sinha
Ms. Sudeshna Das

... For the State

Dictated by Prasenjit Biswas, J.

1. It said by the learned Advocate appearing on behalf of the petitioner that this accused petitioner is in custody since from 17.01.2024 and had suffered detention for more than 400 days. This accused petitioner is completely innocent and has been falsely entangled with the crime. After completion of investigation charge sheet has been filed by the prosecuting agency on 12.04.2024 and since then there is no considerable progress of the trial. Four witnesses out of six charge sheeted witnesses have been examined and the next date is fixed on 11.03.2025 for production of the accused person. There is no immediate chance of conclusion of the trial. As such this accused petitioner may be enlarged on bail on the ground of his long detention behind the bar.

2. Learned Advocate for the State raises objection by submitting that there are sufficient incriminating materials in

the case diary which shows about *prima facie* involvement of the accused petitioner with the alleged offence. After framing of charge trial has already been commenced and four witnesses have already been examined. The prosecution intends to cite other seven charge sheeted witnesses for proving the charge against this accused person. So, it is said there is no delay in progressing of the trial, attributable to the prosecution.

3. Perused the materials on record. Trial has already been commenced after framing of charge by the Trial Court. Keeping in mind the complicity of the accused petitioner with the alleged offence and the diabolical manner by which the alleged offence was committed, we are not inclined to enlarge the accused petitioner on bail.

4. The application for bail is, thus, **rejected**.

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

(Arijit Banerjee, J.)

(Prasenjit Biswas, J.)