

17.04.2025

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C.R.M. (M) 43 of 2025

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure/under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Garhbeta Police Station Case No. 107 of 2011 dated 15.06.2011 under Sections 498A/306/34 of the Indian Penal Code.

And

In Re : **Abu Bhangi @ Abu Hosen Bhangi & Ors.**

... Petitioners.

Mr. Amit Ranjan Pati

Ms. Mehelee Chattopadhyay

... For the Petitioners.

Mr. Madhusudan Sur

... For the State.

The petitioners are in custody for about 133 days and pray for bail on the ground that though the learned Court has fixed dates for hearing argument of the case, the principal accused is absconding for which trial cannot proceed further.

Learned counsel for the State opposes the prayer.

It appears that principal accused is the son of the first petitioner and brother of the 2nd and 3rd petitioners. The trial is at its fag end and hearing of argument is pending. The principal accused is absconding.

Considering the stage of the trial and possibility of the petitioners absconding if released on bail, thereby delaying conclusion of trial further, prayer for bail is rejected at this stage.

It is expected that the State shall take necessary steps for execution of the warrant of arrest issued by the learned trial Court against the principal accused.

The application for bail is disposed of.

Case diary be 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.)