

May 14, 2025
21 ARDR
(Rejected)

CRM (R) 19 of 2025

In Re : An Application for bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with **Ballygunge D.D.** Police Station Case No. **1** of **2022** dated **08/1/2022** under Sections **120B/387/395/397** of the Indian Penal Code.

And

In Re : Rishav Raj @ Rishav Kumar Raj @ Rishav Keshry @ Rawat @ Rahul Raj

... Petitioner.

Adv. Moyukh Mukherjee,
Adv. Bimal Kumar Singh

... for the petitioner.

Adv. Md. Adil Badr,
Adv. Poulomi Bose,

...for the State.

Report submitted by the State is taken on record.

Heard learned counsels for the parties.

On merits, bail prayer of the petitioner was turned down by this Court on 8th February, 2024. The petitioner assailed the said order before the Hon'ble Supreme Court and by an order passed on 18th November, 2024, petitioner's prayer was dismissed with liberty to revive his request for grant of bail in case of change in circumstance or if the trial got prolonged due to reasons not attributable to the petitioner or the co-accused.

There is no change in circumstance on merits which warrants favourable order for the petitioner at this stage.

With regard to delay in progress of trial, it appears that one of the co-accused has expired and the case is waiting for submission of death report.

Learned counsel for the State submits that necessary steps shall be taken for submission of death report before the learned trial Court on the adjourned date.

Since delay in progress of trial cannot be attributed either to the prosecution or the petitioner, this Court is of the view that it is not a fit case where the petitioner can be favoured with an order of bail at this stage.

Accordingly, prayer for bail is rejected at this stage.

The application for bail is disposed of.

The learned trial Court is directed to expedite the trial without granting any unnecessary adjournment to either of the parties.

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

(Suvra Ghosh, J.)