

16.05.2025

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jb.
jdt.

C.R.M. (M) 336 of 2025

In Re : An Application under Section 439 of the Code of Criminal Procedure/under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Kaliganj Police Station Case No. 01 of 2024 dated 01.01.2024 under Sections 448/323/354/376/511/506/34 of the Indian Penal Code.

And

In Re : Babar Ali Sk @ Babu Sk. @ Sekh Petitioner

Mr. Sourav Mukherjee
... For the Petitioner.

Mr. Binoy Kr. Panda
Mr. Atulya Sinha
... For the State

Memo of evidence submitted by the State is taken on record.

Learned counsel for the petitioner submits that the petitioner is in custody for 56 days. FIR has been lodged at a delay of more than two months. The petitioner is innocent. He prays for bail.

Learned counsel for the State opposes the prayer and submits that the petitioner was absconding for more than a year.

I have considered the material on record. FIR was lodged after inordinate delay. It appears that the prayer for anticipatory bail was turned down after which he absconded for a considerable period of time. He was arrested on 21st March, 2025 and is in custody since then.

Considering the conduct of the petitioner, this Court is of the view that the petitioner may again abscond if released on bail, thereby causing delay in trial. The petitioner does not deserve a favourable order at this stage.

The prayer for bail is rejected at this stage.

Case diary be returned.

The application for bail is disposed of.

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

(Suvra Ghosh, J.)