

CRM (DB) 2941 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure/Section 483 of the BNSS in connection with **Bizpore Police Station** Case No. **591 of 2019** dated **08.10.2019** under Sections **302/307/120B/34** of the Indian Penal Code and Sections 25/27 of the Arms Act.

- A n d -

In the matter of : Ajay Jaiswal

.... Petitioner.

Mr. Sandip Chakraborty,
Mr. Pritam Majumder,
Mr. Kaustav Das,

... For the Petitioner.

Mr. Rudradipta Nandi,
Ms. Madhumita Basak,

... for the State.

Mr. Joydeep Biswas,
Mr. Ashok Das,
Mr. Soumya Nag,
Mr. Aditya Tiwari,
Mr. Hari Jana,

.... For the defacto complainant.

Dictated by Arijit Banerjee, J:-

1. The petitioner says that co-accused persons have been granted bail. He stands on the same footing as one Sudipta Das who was enlarged on bail by this Court on August 21, 2024. He is in custody for about three years two months. There is no possibility of an early conclusion of the trial. He has no role to play in the alleged incident of murder. He prays for bail.

2. Strongly opposing the bail prayer, learned Advocates for the State and the defacto complainant tell us that the petitioner does not stand on the same footing as Sudipta or other accused persons who have been extended the privilege of bail. This petitioner was absconding for a considerable period of time.

Thereafter, he could be apprehended. There are at least 11 criminal cases pending against this petitioner. This petitioner threatened witnesses for which a fresh criminal case has been registered against him.

3. Learned State Advocate further tells us that the examination of the last prosecution witness being the Investigating Officer was fixed by the learned Trial Court on March 24, 2025. However, the prosecution has filed an application for preponment of that date so that the trial can be concluded as soon as possible.

4. In reply, learned Advocate for the petitioner says that even against Sudipta, 8 criminal cases are pending and he was also absconding.

5. We, therefore, see that the trial is on the verge of conclusion. The petitioner has criminal antecedents. He has threatened witnesses. He was absconding. His conduct does not entitle him to the privilege of bail.

6. CRM (DB) 2941 of 2024 is, thus, dismissed.

7. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)