

25.02.2025
Item No.81
Court No. 26
CHC
Rejected

CRM (DB) 3213 of 2024

In re : An Application for **Bail** under Section 439 of the Code of Criminal Procedure, 1973/ under Section **483** of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Golabari** Police Station Case No. **245** of **2014** dated **16.03.2014** under Sections **327/307/109/120B** of the Indian Penal Code.

-And-

In the matter of : **Harendar Yadav**

... ..**Petitioner**

Mr. Sabir Ahmed, Advocate

Mr. Bhaskar Hutait, Advocate

... .. For the Petitioner

Mr. Rana Mukherjee, Ld. A.P.P.

Mr. Parvez Anam, Advocate

... ...For the State

1. Supplementary filed in Court be taken on record.
2. Petitioner prays for bail on the ground of delay of trial.
3. Learned advocate appearing for the petitioner submits that, the earlier order of rejection of prayer for bail dated May 21, 2024 passed in CRM(DB) 1511 of 2024 required the trial to be concluded within one year. Trial is yet to be completed. He submits that, charges are yet to be framed and therefore, the trial is unlikely to conclude within the period of one year as directed by the order dated May 21, 2024.
4. Learned Additional Public Prosecutor submits that, petitioner was initially granted bail. He absconded while on bail. Petitioner was rearrested. He refers to the materials on record.

5. Petitioner was initially granted bail when he misutilized such liberty and absconded.
6. Subsequent to his rearrest, petitioner is in custody for a period in excess of two years.
7. The last order of rejection for bail is dated May 21, 2024 which expressed a desire that, the trial should conclude within one year from the date of communication of the order.
8. An year from May 21, 2024 is yet to expire.
9. There is hardly any material change in circumstances subsequent to the earlier order of rejection till date brought to our notice warranting grant of bail. Given the past history of absconsion by the petitioner, such possibility continues to remain.
10. In such circumstances, we are not inclined to grant bail to the petitioner.
11. Prayer for bail of the petitioner is **rejected**.
12. CRM(DB) 3213 of 2024 is **dismissed**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)