

26.02.2025

DL-25

Court No.26

CRM (DB) 3409 of 2024

*(Bail **Rejected**)*

(AD)

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/ under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 in connection with **Gazole** Police Station Case No.**53** of **2020** dated **24.01.2020** under Sections **341/326/307/468** of the Indian Penal Code, 1860 and Section **14A(b)** of the Foreigners Act.

-And-

In the matter of : Pradip Mandal @ Badal Biswas

... ...Petitioner

Mr. Arup Kumar Bhowmick, Advocate

... ... For the Petitioner

Mr. Debasish Roy, Ld. PP

Ms. Kanchan Roy, Advocate

... ...For the State

1. Petitioner prays for bail on the ground of delay of trial. He submits that, petitioner is in custody for five years without the prospect of the trial ending in the near future.
2. Report as called for by the Coordinate Bench filed in Court be taken on record.
3. Petitioner before us claims to be an Indian national.
4. Report of the State is of contrary view.
5. The person who the petitioner claims to be the father and located at a particular place was not found thereat. No person in the locality apparently knows of the petitioner as a resident of such locality.
6. Out of 17 prosecution witnesses, 11 stands examined at the trial.

7. Next date for recording evidence of the prosecution stands fixed by the learned Trial Judge.
8. Possibility of absconsion of the petitioner exists in view of the nationality of the petitioner not being established conclusively.
9. In such circumstances, we are not inclined to grant bail to the petitioner.
10. Accordingly, the prayer for bail of the petitioner is **rejected**.
11. **CRM (DB) 3409 of 2024** is **dismissed**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)