

51.
11-02-2025
(ct. no.29)
S. De

CRM (DB) 3503 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure as amended under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

And

In the matter of : Abbas Uddin Molla.

.....Petitioner.

Mr. Devranjan Das,for the Petitioner.

Mr. Ranadeb Sengupta,
Mr. Sachit Talukdar,for the State.

Mr. Sumanta Chakraborty, ...for the de facto complainant.

Dictated by Arijit Banerjee, J.

1. The petitioner renews his prayer for bail which was rejected on merits on June 20, 2024 in CRM (DB) 1764 of 2024. The relevant portion of the order rejecting his earlier bail application reads as follows :

“Learned Advocate for the State draws our attention to statements of witnesses recorded under Section 164 Cr.P.C. We have seen the statement of at least one eyewitness who has stated that the petitioner herein dealt the fatal blow to the victim, who subsequently died. We have also seen the medical report which talks of ante mortem injuries.”

2. In view of the aforesaid and since there is no change of circumstance, we see no reason to re-consider the petitioner’s prayer for bail.

3. CRM (DB) 3503 of 2024 is dismissed.
4. However, we find that the petitioner is in custody for about 1 year and 8 months. Charge is yet to be framed. Learned advocate for the State says that 4 co-accused persons are absconding. Steps have been taken to split up the trial. Warrant of proclamation has been issued against 3 of the accused persons. Against another co-accused person, warrant of arrest is pending.
5. Be that as it may, keeping in mind the period of detention of the petitioner, we direct the learned Trial Court to expedite the trial to the fullest extent possible and conclude the same on an early date without granting unnecessary adjournment to either of the parties and, if necessary, by fixing frequent schedules for examination of witnesses.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)