

60. 06.02.2025
Court
No.29 (Tanmoy)

Rejected

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

CRM (DB) 3541 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 arising out of English Bazar P.S. Case No.1827/2023 dated 03.11.2023.

And

In the matter of: - **Md. Taslim Sk @ Md. Toslim @ Taslim Sekh**
...petitioner.

Mr. Md. Wasim Akram
...for the petitioner.

Mr. Ashok Das
...for the State.

Dictated by Apurba Sinha Ray, J.

1. Learned Counsel for the petitioner submits that the petitioner is in custody for about 15 months. Charge has not yet been framed. There is no chance of an early conclusion of the trial. Nothing has been recovered from his possession. Considering his period of detention, he may be enlarged on bail on any condition that this Court may decide.
2. Learned Counsel for the State opposes the prayer for bail. According to him, the delay caused is due to the absconsion of other accused persons and for which the charge could not be framed. However, process of Warrant, Proclamation and Attachment has been done and the trial will commence after splitting up the trial within a very short span of time. The present petitioner has been identified in the Test

Identification (T.I.) Parade by the concerned witness. If the petitioner is enlarged on bail, the prosecution may suffer.

3. We have gone through the materials on record including the case diary. There are sufficient incriminating materials against the present petitioner. He has been identified in T.I. Parade. Several accused persons are absconding. If the petitioner is enlarged on bail, the prosecution may suffer.
4. In view of the materials on record and the case diary, we are not inclined to allow the prayer for bail of the present petitioner, at this stage.
5. The application being CRM (DB) 3541 of 2024 is accordingly dismissed.
6. However, considering the period of detention of the petitioner, we direct the learned Trial Court to expedite the trial to the fullest extent 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 witness.
7. Parties to communicate this order to the learned Trial Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)