

12.02.2025
DL-44
(Bail **Rejected**)
(AD)

CRM (DB) 3656 of 2024

In re : An Application for Bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita 2023;/ under Section 439 of the Code of Criminal Procedure, 1973 in connection with RC 056 2021 S 0009 dated 25.08.2021 of CBI, SCB, Kolkata arising out of **Bhatpara** Police Station Case No.**282** of **2021** dated **06.06.2021** under Sections **302/326/307/120B/34** of the Indian Penal Code, 1860 and **3/4** of the Explosive Substances Act, being Charge Sheet No.04 of 2021 dated 02.09.2021 under Sections **120B/302/307/323/326/506/34** of the Indian Penal Code, 1860 being GR No.4540 of 2021, ST No.5(12) 2023 and S.C No.216 of 2023, pending before the Learned Additional Sessions Judge, 3rd Court at Barrackpore.

-And-

In the matter of : Tuntun Chowdhury @ Chakraborty
... ...Petitioner

Md. Khairul, Advocate

... ... For the Petitioner

Mr. Amajit De, Special PP, CBI

... ...For the CBI

1. Petitioner prays for bail.
2. Learned Advocate appearing for the petitioner submits that, the petitioner is in custody in excess of two years eight months without any possibility of the trial ending any time soon.
3. Learned Advocate appearing for the CBI submits that, petitioner was initially granted bail. He violated the condition of the bail by entering into the jurisdiction of the police station from which he was restrained from entering into. Not only did the petitioner enter into the jurisdiction of such police station but also threatened the witnesses in the present police case with firearms.

4. There is an order passed by the Coordinate Bench cancelling the bail of the petitioner passed on July 13, 2022 in CRM (DB) 14 of 2022 on the grounds, *inter alia*, as noted in the previous paragraph. Petitioner did not assail such order before any higher forum.
5. Such order records the conduct of the petitioner post the grant of bail.
6. Considering such conduct of the petitioner, his implication in the present police case and the gravity of the offence, we are not inclined to grant bail to the petitioner.
7. Accordingly, the prayer for bail of the petitioner is rejected.
8. **CRM (DB) 3656 of 2024** is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)