

13.02.2025
ADSL. 19
Court No.26
S.D.
Rejected

CRM (DB) 3708 of 2024

In re: An Application for **Bail** under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023/ section **439** of the Code of
Criminal Procedure, 1973 in connection with Dhubulia Police
341/302/34 of the Indian Penal Code, 1860.

-And-

In the matter of: Swadesh Biswas

... .. Petitioner

Mr. Soubhik Mitter
Ms. Jagriti Bhattacharya
... .. For the Petitioner

Mr. Sandip Chakraborty
Ms. Sarjida Sultana
... ...For the State

Petitioner renews the prayer for bail.

Learned advocate appearing for the petitioner submits
that, the petitioner is in custody in excess of 5 years.

Learned advocate appearing for the State draws the
attention of the Court to the last order of rejection. He
submits that, one year to conclude the trial was granted by
the last order dated June 20, 2024 rejecting the prayer for
grant of bail for the petitioner. Such time is yet to expire.
Out of 24 prosecution witnesses, 22 were already examined.
Moreover, petitioner was the person who fired the firearm
causing the murder..

Petitioner stands implicated in the offence of murder. The last order of rejection of the prayer for bail of the petitioner dated June 20, 2024 allowed one year time to the learned Trial Court to conclude the trial. Such order also provided that in the event, trial is not concluded within such period of time, the petitioner would be at liberty to renew his prayer for grant of bail.

The period of one year stipulated by the order dated June 20, 2024 is yet to expire. That apart, the gravity of the offence and the complicity of the petitioner therein do not permit us to grant bail to the petitioner.

We are not inclined to grant bail to the petitioner and the prayer for bail of the petitioner is rejected.

The application being **C.R.M. (DB) 3708 of 2024** stands dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)