

33. 06.01.2025
Court
No.29 (Pritam)
(M/L)
(Rejected)

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 3736 of 2024

In Re: - An application of bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023.

And

In the matter of: - **Abdul Mainuddin @ Saif.**

.....petitioner.

Ms. Sutapa Sanyal,
Ms. Utsa Podder

...for the petitioner.

Mr. Sourav Bhattacharjee,
Mr. Debmalya Banerjee,
Mr. Vicky Mahato

.....for the *de-facto*.

Mr. Arindam Sen,
Mr. K. Mahata

....for the State.

Dictated by Apurba Sinha Ray, J.

1. The learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in this case. He is in custody for about 290 days. There is no chance of early conclusion of the trial. However, the charge-sheet has already been submitted. As the investigation is complete, he may be enlarged on bail on any condition.
2. The learned counsel for the State as well as the learned advocate for the *de-facto* complainant have raised strong objection.

According to them, there are sufficient incriminating materials against the present petitioner.

3. We have considered the materials on record, including the statement of the victim recorded under Section 164 Cr.P.C. It further appears from the record that other accused persons are still absconding. The charge has not yet been framed due to the absconsion of the other accused persons. Considering the materials on record, we are not inclined to allow the petitioner's prayer for bail, at this stage.
4. The prayer for bail is, thus, **rejected**.

5.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)