

21. 18.02.2025
Court
No.26 (Pritam)
(Rejected)

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 3873 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: - **Basar Ali @ Basar Sk. @ Basarul Islam Sk.**
.....petitioner.

Mr. Abhinav Rakshit
...for the petitioner.

Mr. S. Mahapatra
...for the *de-facto*.

Mr. Antarikhya Basu,
Ms. Srilekha Chatterjee
....for the State.

1. Petitioner is in custody for less than a year.
2. Trial is in progress. The earlier trial resulted in conviction.
Appeal directed against the earlier order of conviction of the co-accused is pending.
3. Court is informed that, the paper books in respect of the appeal by the co-accused are ready.
4. In such circumstances, trial court records, which the court is informed are required for the purpose of the present trial, be remitted to the jurisdictional court forthwith.

5. It is clarified that the trial court records, so far as the appeal is concerned, may be requisitioned by this court as and when required.
6. Materials in the case diary do not make it desirable to enlarge the petitioner on bail, at this stage. Given the period of custody, the absconsion and the fact that the trial is in progress, we are not inclined to enlarge the petitioner on bail.
7. The prayer for bail is, thus, **rejected**.
8. CRM (DB) 3873 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)