

17.02.2025
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Court No.26
S.D.
Rejected

CRM (DB) 4030 of 2024

In re: An Application for **Bail** under Section **439** of the Code of Criminal Procedure, 1973 read with Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Itahar** Police Station Case No. **574** of **2023** dated **13.12.2023** under Sections **302/34** of the Indian Penal Code, 1860.

-And-

In the matter of: Prahalad Sarkar @ Prahalad Debsharma
... .. Petitioner

Ms. Rita Patra
Mr. Mirza Firoj Ahmed Begg
... .. For the Petitioner

Mr. Bibaswan Bhattacharya
Ms. Puja Goswami
... ...For the State

Petitioners pray for bail.

Learned advocate appearing for the petitioner submits that, the petitioner is in custody in excess of 430 days. Police filed charge sheet. Trial is in progress. Out of 21 witnesses, only one was examined and there is hardly any possibility of the trial concluding any time soon.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary.

Petitioner stands implicated in murder. Role of the petitioner ascribed by the witnesses is that the petitioner initially assaulted the victim and then held the victim while

the other assailants were dealing blows to which the victim succumbed.

Considering the gravity of the offence, active role of the petitioner played in the murder and the period of detention of 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) 4030 of 2024** stands dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)