

18.02.2025
Item No.47
Court No. 26
CHC
Rejected

CRM (DB) 4071 of 2024

In re : An Application for **Bail** under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section **483** of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Ghatal** Police Station Case No. **118/2017** dated **16.06.2017** under Sections 448/436/302/120B/506/34 of the Indian Penal Code.

-And-

In the matter of : **Sk Fariduddin @ Farid**
@ Sk Farid Uddin

... ..**Petitioner**

Mrs. Sonali Das, Advocate

... .. For the Petitioner

Mr. Joydeep Biswas, Advocate

Mr. Sachit Tendulkar, Advocate

... ..For the State

1. Petitioner prays for bail.
2. Learned advocate appearing for the petitioner submits that, the petitioner is in custody for 444 days. She submits that, initially, petitioner was granted bail which was subsequently cancelled. Allegation as against the petitioner for cancellation is one of suppression. The revisional application was filed directed against the order of cancellation of grant of bail which received the consideration of the Hon'ble Supreme Court. Petitioner surrendered pursuant to the order passed by the Hon'ble Supreme Court.
3. There is a dying declaration by the victim. Dying declaration, however, does not name the petitioner. An eyewitness saw the

petitioner to flee away from the place of occurrence, house of the victim. When the victim was at her house, petrol was thrown inside her house and the house was set on fire. Victim died out of burn injuries.

4. Court is informed that, trial is in progress in the sense that dates for recording the evidence of the prosecution stands fixed. There are 29 chagesheeted witnesses.
5. We request the learned trial Judge to expedite the trial. In doing so, learned trial Judge requires not to grant unnecessary adjournment to any of the parties.
6. Considering the gravity of the offence, involvement of the petitioner therein and on his post conduct with regard to his earlier prayer for grant of bail, we do not find it desirable to grant bail to the petitioner.
7. Prayer for bail of the petitioner is **rejected**.
8. CRM(DB) 4071 of 2024 is **dismissed**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)