

18.02.2025

DL-69

Court No.26

CRM (DB) 4122 of 2024

(Bail Rejected)

(AD)

In re : An Application for Bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 corresponding to Section 439 of the Code of Criminal Procedure, 1973 in connection with Sessions Case No.219/2024 (S.T. No.1(10) 2024) arising out of **Joynagar** Police Station Case No.**501** of **2023** dated **13.11.2023** under Sections **302/120B/34** of the Indian Penal Code, 1860 pending before the Learned Additional District and Sessions Judge, Fast Track Court, Baruipur, South 24 Parganas.

-And-

In the matter of : Haydar Sk @ Hayder Ali Sekh & Anr.

... ...Petitioners

Mr. Soumik Ganguly, Advocate
Mr. Debapratim Guha, Advocate
Ms. Anchita Sarkar, Advocate

... ... For the Petitioners

Mr. Debasish Roy, Ld. PP
Ms. Anasuya Sinha, Ld. APP
Mr. Sharequl Haque, Advocate

... ...For the State

1. Petitioners renew the prayer for grant of bail.
2. Learned Advocate appearing for the petitioners submits that, the petitioners are in custody in excess of 400 days. He submits that, the trial is unlikely to conclude any time soon.
3. Learned Advocate appearing for the State draws the attention of the Court to the materials in the case diary. She submits that, the trial is in progress.
4. Prosecution proposes to examine 18 witnesses, out of which one was examined. Petitioners stand implicated in murder. Active role of the petitioners in the incident appears from the materials placed on record.

5. Trial is in progress. Only one prosecution witness was examined.
6. There is a criminal antecedent so far as the petitioner no.1 is concerned.
7. Enlarging any of the petitioners on bail at this stage of the trial may be inimical to the trial itself.
8. In such circumstances, we are not inclined to grant bail to the petitioners at this stage.
9. Accordingly, the prayer for bail of the petitioners is **rejected**.
10. **CRM (DB) 4122 of 2024** is **dismissed**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)