

21.02.2025
Item No.15
Court No. 26
CHC
Rejected

CRM (DB) 4293 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 **Sadaipur** Police Station Case No. **85 of 2019** dated **23.07.2019** under Sections **302/201/34** of the Indian Penal Code, 1860.

-And-

In the matter of : **Subhas Ghosh**

... ...**Petitioner**

Mr. Kunal Ganguly, Advocate

... ... For the Petitioner

Mr. Debasis Roy, Ld. P.P.

Mrs. Faria Hossain, Ld. A.P.P.

Ms. Mousumi Sarkar, Advocate

... ...For the State

1. Petitioner renews the prayer for bail.
2. Learned advocate appearing for the petitioner submits that, petitioner is in custody in excess of 4 years 4 months. He submits that, there is hardly any possibility of the trial ending any time soon since the Court at which, the trial is pending, is presently vacant.
3. Learned Additional Public Prosecutor appearing for the State submits that, only two prosecution witnesses remained to be examined. Next date of trial is on February 27, 2025.
4. Apparently, the Court at which, the trial is pending is presently vacant.

5. Learned District Judge, Birbhum is requested to ensure that, the trial progress and that, the witness action on the prosecution and the defence are completed on the date fixed.
6. Materials on record do not make it desirable to enlarge the petitioner on bail at this stage.
7. In such circumstances, we are not inclined to grant bail to the petitioner.
8. Prayer for bail of the petitioner is **rejected**.
9. CRM(DB) 4293 of 2024 is **dismissed**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)