

05.03.2025
22
Court No.26
S.D.
Rejected

CRM (DB) 4381 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 **Sonarpur** Police Station Case No. **118** of **2020** dated **06.02.2020** under Sections **302/195A/120B** of the Indian Penal Code and Sections 25(1B)(a)/27 of the Arms Act.

-And-

In the matter of: Ramesh Sardar @ Hansa Sardar

... .. Petitioner

Mr. Debadipto Banerjee

Mr. S. Das

...For the petitioner

Mr. Joydip Biswas

Ms. Trisha Rakshit

... ..For the State

Mr. Nabanil Dey

Mr. Apalak Basu

Mr. Nazir Ahmed

...For the defacto complainant

Report as called for by the order dated February 21, 2025 filed in Court be taken on record.

Petitioner seeks bail on the ground of period of custody.

It is contended on behalf of the petitioner that the petitioner is in custody for 3 years and 7 months. With the 21 prosecution witnesses scheduled to be examined, out of

which only 6 were examined, possibility of the trial ending any time soon in the near future does not exist.

Learned advocate appearing for the State submits that there are criminal antecedents so far as the petitioner is concerned. She submits that there are 6 criminal cases, out of which, at least one relates to Arms Act.

Petitioner stands implicated in murder.

Trial is in progress.

It is contended on behalf of the defacto complainant that there are 30 criminal cases against the father of the petitioner.

Given the nature of the materials on record and the involvement of the petitioner in the murder as also the criminal antecedents of the petitioner we are not inclined to grant bail to the petitioner. Enlarging the petitioner on bail in the facts and circumstances of the present case may send a wrong signal to the society.

Criminal antecedent of the petitioner demonstrates that there are at least two police cases involving the petitioner threatening witnesses.

In such circumstances, police will ensure protection of the witnesses of the present police case.

At this stage, learned advocate appearing for the petitioner seeks a direction for expeditious disposal of the trial.

Learned Trial Judge is requested to endeavour and dispose of the trial as expeditiously as possible. In doing so keeping the request of the petitioner before us in mind will not allow any adjournment so far as the defence is concerned.

C.R.M. (DB) 4381 of 2024 stands **dismissed**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)