

23.07.2026
Court No.35.
D/L.258.
Rakib
(Allowed)

CRM (M) 1449 of 2026

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Bishnupur Police Station case no. 366 of 2021 dated 19.06.2021 under Sections 302 of the Indian Penal Code.

And

In the matter of : Subhendu Mondal

.....Petitioner.

Mr. Joy Chakraborty
Mr. Sandip Dinda

.....for the Petitioner.

Mr. Bhaskar Seth
Mr. Arnab Sau

.....for the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for more than five years and till date the evidence of witnesses has not been completed and earlier on 25.08.2025 when the bail prayer of the petitioner was rejected, prosecution submitted that the trial was at the verge of completion as only three witnesses are left.

Report submitted by the Inspector-in-Charge of Bishnupur Police Station through the learned advocate appearing for the State is completely hazy.

If three witnesses were left to be examined on 25.08.2025 then the report which has been placed before this Court, at serial no.28 referring to the Court proceedings on 11.06.2025 would not have jumped in serial no.29 to 22.06.2026 regarding the Court

proceedings. No events in the Court proceedings are reflected in the report.

The State is opposing tooth and nail before the Hon'ble High Court at the bail stage and is not proceeding or progressing with the trial before the learned trial Courts. The reports are prepared by the police authorities by highlighting insignificant events and suppressing the effective events before the learned trial Court.

The Director General of Police, West Bengal is directed to prepare a proforma to the officers who will be preparing reports for submitting before this Court.

So far as the present case is concerned, there has been no progress in the case and on the last occasion bail was rejected on the assurance of the learned advocate appearing for the State that three witnesses would be examined and be completed. Report do not reflect that for the last one year what has taken place. This is substantially an attempt of diverting the process of justice.

The author of the report being the Inspector-in-Charge of Bishnupur Police Station be taken to task by the Director General of Police, and, if possible, he may not be further allotted for discharging duties in a police station.

Having considered that nothing has progressed before the learned trial Court for the last one year, I am inclined to release the petitioner on bail as he is in custody for more than five years. Accordingly, the prayer for bail of the petitioner is **allowed**.

As such, the petitioner, namely, **Subhendu Mondal** shall be released on bail subject to the satisfaction of the learned Trial Court. Learned Trial Court would impose such terms and conditions as it deems fit and proper for further appearance of the petitioner before the Court.

Accordingly, CRM (M) 1449 of 2026 is allowed.

Learned Registrar General, High Court, Calcutta is directed to communicate this order to the Director General of Police, West Bengal.

Memo of evidence submitted by the State be kept with the record.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)