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C.R.M. (M) 2893 of 2025

In Re: An application for bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Berhampore Police Station Case No.1650 of 2024 dated 23rd October, 2024 under Section 103(1)/303(2) of the Bharatiya Nyaya Sanhita, 2023;

Hymayan Sk
Versus
The State of West Bengal

Mr. Arnab Chatterjee
Mr. Avik Ghosh
Ms. Ankusha Ghosh.
...for the petitioner.

Mr. Krishnendu Bhattacharya
Mr. Somnath Bera.
...for the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 2 years 8 months and hardly there has been any progress in the trial. Additionally, it has been submitted that out of 43 witnesses cited by the prosecution only 8 witnesses have been examined till date.

Learned advocate for the State opposes the prayer for bail and refers to the documents which connects the present petitioner who was arrested from Delhi. There are leading statement pursuant to which offending weapons were recovered. Additionally, it has been submitted that there are four more vulnerable witnesses to be examined by the prosecution and the prosecution intends to reduce the number of witnesses.

As the evidence of the vulnerable witnesses are still left, I direct the State to ensure that the evidence of the vulnerable witnesses are completed within the period of six months from the date of communication of this order. Petitioner would be at liberty to renew his prayer for bail after the aforesaid time period is over.

At this stage, the prayer for bail of the petitioner in CRM(M)2893 of 2025 is dismissed.

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

All parties shall act on the server copy of this order duly 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 of all requisite formalities.

(Tirthankar Ghosh, J.)