

**18.06.2025**

Item No.19

Ct.No.34

rc.

**C.R.M. (M) 138 of 2025**

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure read with Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Chinsurah Police Station Case No. 407 of 2022 dated 06.08.2022.

And

In Re : **Goutam Pal @ Babu**

... Petitioner

Mr. Bitasok Banerjee

Mr. Abdus Salam

... for the Petitioner

Mrs. Manisha Sharma

Mrs. Sana Naz

... for the State

Report along with a copy of depositions submitted by the State are taken on record.

The petitioner is in custody for more than two years and prays for bail.

Learned counsel for the petitioner submits that the petitioner was not present at the place of occurrence at the relevant time. There are fifty three witnesses to be examined out of which only ten witnesses have been examined so far. The witness did not turn up on last three dates fixed for evidence.

Learned counsel for the State opposes the prayer and submits that the prosecution proposes to examine three more witnesses and shall conclude examination of witnesses within two months from the next date of evidence fixed

before the learned trial Court subject to cooperation of the accused and systematic reasons.

I have considered the material on record. The petitioner appears to be the master mind who instructed the co-accused to fire at the victim who is an under trial prisoner, when he was taken to the hospital for medical check up. One of the witnesses has spotted the petitioner at the place of occurrence. A letter produced by the prosecution prima facie indicates that the petitioner instructed the co-accused to shoot at the victim. Though handwriting in the said letter has not matched with that of the petitioner, signature therein appears to be of the petitioner.

Considering the material on record prima facie connecting the petitioner to the alleged offence, prayer for bail is rejected at this stage.

The learned trial Court is directed to take the proceedings to its logical conclusion as expeditiously as possible, without granting any unnecessary adjournment to either of the parties and in the light of the submission made by the learned counsel appearing on behalf of the State.

The bail application is disposed of.

Case Diary is returned.

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

**(Suvra Ghosh, J.)**