

June 11, 2025
30 ARDR
(Rejected)

CRM (M) 429 of 2025

In Re : An Application for bail under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023 filed in connection with **Raiganj**
Police Station Case No. **379** of **2009** dated **November 28, 2011**
under Sections **302/201/34** of the Indian Penal Code.

And

In Re : Biky Saha @ Biki Saha @ Viki Saha

... Petitioner.

Adv. Srinjan Ghosh,

... for the petitioner.

Sr. Adv. Sourav Chatterjee,

Adv. Soumya Nag,

...for the defacto complainant.

Adv. Rudradipta Nandy,

Adv. Nandini Chatterjee,

...for the State.

The petitioner is in custody for more than twelve years and
prays for bail solely on the ground of his prolonged incarceration.

Opposing the prayer, learned counsel for the State as well as
the defacto complainant submit that the petitioner, while in
custody, severely assaulted one of the witnesses who appeared
before the Court to adduce evidence in the present case. Also, one of
the co-accused who was released on bail murdered one of the
witnesses and a separate proceeding is pending against him which
is at the argument stage.

Learned counsel for the State submits that the prosecution
intends to examine two more witnesses out of whom cross
examination of one witness is in progress. Another witness is
remaining to be examined and trial is expected to be completed
within six months from the next date of evidence fixed before the
learned trial Court subject to cooperation of the petitioner and other
co-accused as well as systemic reasons.

Considering the gravity of the offence as well as conduct of the petitioner, prayer for bail is rejected at this stage.

The learned trial Court is directed to take the proceeding to its logical conclusion in the light of the submission made on behalf of the State, without granting any unnecessary adjournment to either of the parties, in accordance with law.

The application for bail is disposed of.

Case Diary be 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.)