

14.07.2025

16
jb.
jdt.

C.R.M. (M) 640 of 2025

In Re : An Application under Section 439 of the Code of Criminal Procedure/under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Kaliachak Police Station Case No. 23 of 2025 dated 05.01.2025 under Sections 126(2)/117(2)/118(2)/109/3(5) of the Bharatiya Nyaya Sanhita read with Sections 25/27/35 of the Arms Act.

And

In Re : Saruf Sk @ Saruk Khan

Mr. Mrityunjoy Chatterjee
Mr. Arindam Poali
Ms. Suchismita Chakraborty
... For the Petitioner.

Zareen N. Khan
Mr. Soumya Basu Roychowdhuri
... For the State

The petitioner is in custody for more than 6 months and prays for bail.

Learned counsel for the petitioner submits that charge sheet has been submitted. Grounds of arrest were not informed to the petitioner at the time of his arrest. His further custodial interrogation is not required.

Learned counsel for the State opposes the prayer.

I have considered the material on record. Statement of the injured as well as eye witnesses recorded under Section 164 of the Code of Criminal Procedure implicated the petitioner as a principal assailant. Offending weapon has been recovered from the custody of the petitioner. Vulnerable witnesses are yet to be examined. In the event the petitioner

is released on bail at this stage, likelihood of his winning over or intimidating the witnesses cannot be ruled out.

Considering the material on record particularly the alleged role of the petitioner in the offence, prayer for bail is rejected at this stage.

Learned trial Court is directed to examine the vulnerable witnesses as expeditiously as possible without granting any unnecessary adjournment to either of the parties.

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.)