

M/L 57
01.12.2025
Bpg.
Dismissed

C.R.M. (M) 836 of 2025

In Re: An application for bail under Section 439 of the Code of Criminal Procedure 1973 and/or an application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Sankrail Police Station Case No.1402 of 2021 dated 23.11.2021 under Sections 302/120B/34 of the Indian Penal Code and Sections 25/27 of the Arms Act;

Md. Tafique @ Md Toufik @ Md Taufik @ Mani
Versus
The State of West Bengal

Mr. Jaydeep Biswas
Mr. Ashoke Das
Mr. Toslim Ali
Mr. Kaushik Ghosh.
...for the petitioner.

Mr. Arijit Ganguly
Mrs. Manasi Roy.
...for the State.

Mr. Sabyasachi Banerjee
Mr. Soumya Basu Roychowdhury
Ms. Pragya Banerjee.
...for the de facto complainant.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 4 years 8 days and out of 32 witnesses proposed to be examined, only 13 witnesses have been examined. It has been submitted by the petitioner that another co-accused has been granted bail and the petitioner is similarly situated as the other who has been granted bail.

Learned advocate for the de facto complainant submits an affidavit-in-opposition. Let the same be kept with the record.

Learned advocate for the State opposes the prayer for bail

and submits that all efforts have been taken, but because of systemic reasons, the trial of the case has been delayed.

I have taken into account the submission of the learned advocate appearing for the petitioner including the short notes submitted by the petitioner. On an assessment of the same, at this stage, I am not willing to release the petitioner on bail and grant an opportunity to the State. State would take steps for examining at least 10 witnesses by 30th April, 2026.

Accordingly, CRM(M) 836 of 2025 is dismissed.

Petitioner would be at liberty to renew his prayer for bail after the aforesaid time period is over. No unnecessary adjournments be granted to any of the parties. The trial of the case would continue in spite of any resolution of the local bar.

Learned Registrar General, High Court, Calcutta is directed to inform this order to the learned trial court.

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.)