

23.07.2025

Item No.38

Ct.No.34

rc.

Reject

C.R.M. (M) 856 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 Malipanchghara Police Station Case No. 136 of 2022 dated 20.07.2022.

And

In Re : **Ramji Shaw**

... Petitioner

Sk. Toslim Ali

... for the Petitioner

Mr. Debasish Roy

Mr. Saryati Datta

Mr. Sufi Kamal

... for the State

The petitioner renews his prayer for bail after remaining in custody for more than two years.

Heard learned counsels for the parties.

Two separate complaints were lodged in respect of the same incident, one being a police complaint and the other complaint by the excise inspector. Both the cases were taken up for consideration together by the learned trial Court. The trial of the case pertaining to the police complaint has concluded and the case is waiting for hearing argument and delivery for judgment. At this stage, one of the co-accused assailed the amalgamation of both the cases before this Court. The cases were initially stayed. By a judgment delivered on July 15, 2025 a coordinate Bench of this Court has directed the learned trial Court to withhold the judgment in Sessions Trial Case No. 193 of 2022 arising out of the

police report for the time being and to proceed to record the evidence in the complaint case being Sessions Trial No. 188 of 2022 at the earliest. The learned Court has directed completion of evidence within three months from the date of judgment considering the fact that the accused persons are in custody and have already suffered long incarceration.

Learned counsel for the State submits that trial shall be concluded within the stipulated time frame.

Since such time frame is not yet over, the bail application is rejected as this stage, being premature.

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.)