

01.09.2025
Item No.13
Ct.No.34
rc.
Reject

C.R.M. (M) 1031 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 English Bazar Police Station Case No. 1244 of 2024 dated 05.09.2024.

And

In Re : **Shyam Ghosh**

... Petitioner

Mr. Amitabha Karmakar
Mr. Arup Kumar Bhowmick ... for the Petitioner

Ms. Shreyashee Biswas
Mr. Sobhan Gani ... for the State

Report submitted by the State is taken on record.

The petitioner is in custody for more than a year and prays for bail.

Learned counsel for the petitioner submits that witnesses have not implicated the petitioner. His further detention is not required.

Learned counsel for the State opposes the prayer.

It appears that four eye witnesses to the incident are yet to be examined. The petitioner is in custody for about a year and during this period, four out of thirty witnesses have been examined. The offending weapon has been recovered at the instance of the petitioner. Progress in trial is fairly

satisfactory. In the event the petitioner is released on bail at this stage, chances of his influencing/intimidating the witnesses cannot be ruled out.

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

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.)