

M/L 116
03.12.2025
Bpg.

C.R.M. (M) 1606 of 2025

In Re: An application for bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Bhutni Police Station Case No.38 of 2025 dated 15.03.2025 under Sections 329(3)/117(2)/117(3)/118(1)/118(2)/109/103(1)/3(5) of BNS;

Fekan Mondal
Versus
The State of West Bengal

Mr. Sourav Chatterjee
Mr. Mayukh Majumder.
...for the petitioner.

Mr. Ranabir Roy Chowdhury
Mr. Anindya Sundar Chatterjee.
...for the State.

Mr. Sourav Mukherjee
Mr. Gourav Roy.
...for the de facto complainant.

Learned senior advocate appearing for the petitioner submits that the petitioner is in custody for a period of 8 months and he has been falsely implicated in the instant case on the basis of alleged recovery of the offending weapon. It has been emphasised on behalf of the learned senior advocate appearing for the petitioner that the deceased was inflicted with hanshua and the said weapon was recovered from an under-construction building in an open space which was not within the control of the present petitioner although the investigating agency claims that the under-construction building belongs to the present petitioner.

Learned advocate for the de facto complainant opposes the prayer for bail.

Learned advocate for the State, on the other hand, submits that there are seven accused persons out of them four accused persons have been granted bail, one accused has expired and one accused is absconding for which there is delay in commitment of the case.

In view of the present stage of the case, I am not inclined to release the petitioner on bail.

Accordingly, CRM(M) 1606 of 2025 is dismissed.

Learned Magistrate is directed to exhaust the process of law as almost six months is at the verge of completion. Learned Magistrate would put in all efforts so that at the earliest the case is committed to the court of sessions. Petitioner would be at liberty to approach this Court after the said stage is over.

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.)