

17.11.2025

Item No.20

Ct.No.35

dc.

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (M) 1705 of 2025

In Re : An Application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Belghoria Police Station Case No. 267 of 2024 dated 01.07.2024 under Sections 126(2)/117(2)/118(2)/109/3(5)/111 of the Bharatiya Nyaya Sanhita, 2023.

And

In Re : **Jayant Singh**

... Petitioner.

Mr. Sandipan Ganguly, Sr. Adv.,
Mr. Sabyasachi Banerjee, Sr. Adv.,
Mr. Ayan Bhattacharjee, Sr. Adv.,
Mr. Pratim Priya Dasgupta,
Mr. Soumen Mohanty,
Mr. Agnish Basu,
Mr. Gourav Bose

... For the Petitioner.

Mr. Debasish Roy, Id. PP,
Mr. Rudradipta Nandy, Id. APP

... For the State.

Mr. Phiroze Edulji, Sr. Adv.,
Mr. Souvik Mitter,
Mr. Avik Ghatak,
Ms. Afreen Begum

... for the *de facto* complainant.

Learned senior advocate appearing for the petitioner submits that the petitioner is in custody for about one year four months and in spite of charge-sheet submitted, charge having been framed; only 7 witnesses have been examined completely out of 31 witnesses proposed to be examined.

So far as the evidence of PW-1, Bimal Panja, is concerned, learned senior advocate submits that the fatal blow referred therein was by a different person and not the

petitioner. However, the evidence reflects that the petitioner was present along with other accused persons.

So far as PW-2, Bubun Panja, is concerned, the petitioner has been named along with others. It has been submitted that four accused persons are on bail, viz. Shams Qamar Hussain @ Shams, Manojit Das @ Babu, Soumen Ghoshai @ Sonu and Aditya Dey @ Pota.

It has also been argued on behalf of the petitioner that PW-1 and PW-2 have stated in their deposition that one Janga assaulted Bubun Panja, mother of Sayandip Panja. So far as the allegations against the petitioner is concerned, the same are omnibus and are restricted to Sayandip Panja. It is also contended that the injury reports of both Bubun Panja and Sayandip Panja do not incorporate the name of the present petitioner as one of the assailants. The injury report as also discharge summary of Sayandip Panja do not reflect injury satisfying the ingredients of Section 118(2) of BNS or that of Section 109 of BNS. The recovery of the offending weapon being a wicket recovered from a public place was after 22 days of the alleged incident and the recovery itself is questionable both because of delay and being recovered from a public place.

Learned senior advocate submits that the petitioner has been arraigned in 17 cases and in all the cases, the petitioner has been granted bail except the present case. Petitioner was earlier granted bail in CRM(M) 1923 of 2025 which related to Dakshineswar Police Station Case No. 91 of 2024 dated 03.07.2024.

Having regard to the aforementioned parameters, learned senior advocate appearing for the petitioner prays for bail of the petitioner on any stringent conditions.

Learned senior advocate appearing for the *de facto* complainant opposes the prayer for bail and insists that earlier the prayer for bail of the present petitioner was rejected in CRM(DB) 4283 of 2024 while by the same order, other accused persons were granted bail. The evidence which has surfaced clearly states regarding the complicity of the present petitioner along with others. According to the learned advocate for the *de facto* complainant, petitioner is a history-sheeter and bail in other cases do not exonerate him from the gravity of the charges with which the present petitioner has been implicated in connection with the instant case.

It has been further contended on behalf of the *de facto* complainant that the petitioner is influential and has a clout in the locality, his release at this stage will affect the trial.

Learned Public Prosecutor appearing for the State has produced the case diary.

I have considered the evidence of seven witnesses which has been produced before this Court. I am of the view that the persons who have been granted bail are on completely different parameters than the present petitioner. Further, it is an admitted position that though bail has been granted, the petitioner is a history-sheeter. Having regard to stage of the case that seven witnesses, out of the proposed 31 witnesses, have been examined and vital witnesses are

yet to be examined by the prosecution, I am not inclined to release the petitioner on bail at this stage. As such, the prayer for bail of the petitioner is **rejected**.

The application for bail, being CRM (M) 1705 of 2025, is, thus, dismissed.

All concerned 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 with all requisite formalities.

(Tirthankar Ghosh, J.)