

12.12.2025

Item No.25

Ct.No.35

dc.

Rejected

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

C.R.M. (M) 1731 of 2025

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Chanchal Police Station Case No. 752 of 2023 dated 28.06.2023 under Sections 395/397/307/326/120B/109/412/34 of the Indian Penal Code read with Sections 3/4 of the Explosive Substances Act and Sections 25(1)(a)/25(1-B)(a)/27/35 of the Arms Act.

And

In Re : **Bhola @ Jahiruddin**

... Petitioner.

Mr. Milon Mukherjee, Sr. Adv.,
Mr. Dattatreya Dutta

... For the Petitioner.

Ms. Faria Hossain, APP,
Ms. Mousumi Sarkar

... For the State.

Learned senior advocate appearing for the petitioner submits that the petitioner was shown arrested in the present case and subsequently after two years, recoveries were shown from the house of one of the accused persons. Petitioner is innocent of the charges and has been falsely implicated. There is no possibility of the trial commencing in near future as four charge-sheets have been submitted in connection with the instant case and one of the accused persons is absconding. As such, petitioner prays for bail on any stringent condition.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and produces the case diary particularly the seizure list which connects the

petitioner with the alleged offence. It has also been contended that all the accused persons who have been arrested and are in custody and one of the accused is absconding. As such, case could not be committed to the court of sessions.

Having regard to the present stage of the case, I am of the view that at least some steps be taken by the prosecution to expedite the process. Accordingly, learned Trial Court would exhaust the process so far as the absconding accused person is concerned and commit the case records to the learned sessions court preferably within one month from 16th December, 2025.

The learned sessions court after receiving the case records would put in efforts so that the stage for consideration of charges is over within 45 days thereof.

At this stage, I am not inclined to release the petitioner on bail. As such, the prayer for bail of the petitioner is **rejected**.

However, the petitioner would renew his prayer for bail after the stage of consideration of charges is over.

Case diary be returned to learned advocate appearing for the State.

The application for bail, being CRM (M) 1731 of 2025, is, thus, disposed of.

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.)