

18.11.2025
Court No.35.
D/L. 48.
Kausik
(Rejected)

CRM (M) 1771 of 2025

In Re: An Application for bail under section 439 of the Code of Criminal Procedure 1973/Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Balurghat Police Station Case No. 85 of 2025 dated 09.02.2025 under Sections 329(4)/351(2)/64(1) of the BNS, 2023.

And

In the matter of : Subhankar Biswas

.....Petitioner.

Mr. Kaushik Chowdhury
Mr. Dwaipayan Panda

....for the Petitioner.

Mrs. Sonali Das
Ms. Srilekha Chattopadhyay

....for the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 144 days and after submission of charge sheet, charge has been framed and even the victim has been examined.

Learned advocate submits that the victim refused medico-legal examination and there are hardly any materials to implicate the present petitioner except the statement under Section 164 of the Code of Criminal Procedure.

There is a delay of about 7 months in lodging the FIR. As such, considering the same, learned advocate submits that the petitioner may be released on bail.

Learned advocate for the State opposes the prayer for bail, draws the attention of the Court to the statement of the victim under Section 164 of the Code of Criminal Procedure and further submits that two of the witnesses have already been examined out of the 9 witnesses proposed to be examined.

Having regard to the manner in which the present case is progressing, I direct that the Trial Court, if the evidence of the prosecution is not concluded by 28.02.2026, it would leniently consider the prayer for bail of the petitioner.

However, CRM (M) 1771 of 2025 is dismissed at this stage.

Report submitted by the State be kept with the record.

All parties shall act in terms of server copy of the order 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.)