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07.11.2025
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C.R.M. (M) 1810 of 2025
With
CRAN 1 of 2025

In Re: An application for Bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023;

Rohit Benbanshi @ Rohit Benwanshi @ Rambo
Versus
The State of West Bengal

Mr. Koustav Bagchi
Mr. Debayan Ghosh
Ms. Priti Kar.

...for the petitioner.

Ms. Shaila Afrin
Ms. Sana Naaz.

...for the State.

Mr. Arunava Ganguly
Mr. Priyabrata Batabyal.

...for the de facto complainant.

Learned advocate appearing for the petitioner submits that the petitioner was granted interim bail on 09.10.2025 and, subsequently by an order dated 16.10.2025, the interim bail was extended. On the prayer of the learned counsel, the said interim bail was also extended on 03.11.2025. The main ground on which the petitioner was granted bail on 09.10.2025 was that the father of the petitioner was hospitalized.

Learned Court categorically stated that only the statement of the learned counsel for the petitioner as an Officer of the Court has been relied upon because of the urgency of the situation and, as such, interim bail was granted till 16.10.2025. On 16.10.2025, the co-ordinate Bench was of the opinion that the

affidavit filed by the petitioner reflected that the order which has been passed so far as the conditions are concerned, the same has been complied with and the State did not dispute non-compliance of the conditions. There was a specific observation in the order dated 16.10.2025 that sufficient incriminating materials have been found against the present petitioner and 25 charge-sheeted witnesses were to be examined, out of whom only 2 witnesses have been examined. The interim bail was extended on the ground that there is remote possibility of trial being concluded within a reasonable period of time.

Learned advocate for the petitioner presently prays for confirmation of bail.

State has produced the case diary.

I have taken into account the statement under Sections 164 of Cr.P.C./183 BNSS of two of the witnesses, namely, Raja Saroj and Krishna Chowdhury, the post-mortem report has also been considered by this Court.

The genesis of the case related to a music sound box to be played at 11 p.m in the night in course of football tournament. The materials prima facie reflect that the present petitioner took out a knife and stabbed the victim which resulted in the death of the victim. The post-mortem report corroborates the statements of the witnesses so far as the injuries are concerned which led to the death of the deceased/victim. The conduct of the petitioner at the site of commission of offence speaks volumes.

Having regard to the gravity of the offence and the

manner in which the offence took place, at this stage, I am not inclined to extend the interim bail which was granted on the health grounds of his father and heinousness of the offence was not taken into account.

Further, it has been pointed out that there are other siblings to take care of the father.

Petitioner would be at liberty to approach this Court after the evidence of the witnesses whose statement under Sections 164 Cr.P.C./183 BNSS has been completed. Learned trial court is directed that steps be taken for examination of these two witnesses, namely, Raja Saroj and Krishna Chowdhury, by 15th January, 2026.

Accordingly, CRAN 1 of 2025 is dismissed.

Consequently, the bail application of the petitioner being CRM (M) 1810 of 2025 is also dismissed.

Petitioner would forthwith surrender before the trial court.

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.)