

15.12.2025
Serial no. 10
[G.S.D]

CRM (M) 1869 of 2025

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure, 1973/under Section 483 of the BNSS, 2023 in connection with **Karimpur PS Case No. 186 of 2024 dated 14.10.2024 u/s 103/238/3(5) of the BNS, 2023 and 25/27 of the Arms Act being Sl. No. 2162 of 2024.**

-And-

In the matter of : Kamal Sk. @ Kamel Sk.

... Petitioner(s)

Mr. Milan Mukherjee, Sr Adv.
Mr. Asraf Mandal

... for the Petitioner(s)

Mr. Arijit Ganguly
Mr. Arani Bhattacharyya

... for the State-respondent(s)

Learned Senior advocate appearing for the petitioner submits that the petitioner is similarly placed as the other accused persons who have been granted bail, as such, is entitled to the same relief.

It has also been pointed out that the petitioner is in custody for one year and two months and there are 59 witnesses in the charge-sheet on whom prosecution intends to rely upon in order to prove its case.

Learned advocate for the State has produced the case diary and drawn the attention of the court to the seizure list, post mortem report as well as the statement under section 183 of the BNSS.

It has also been submitted on behalf of the State that the trial of the case could not be proceeded as one of the accused is absconding.

Having considered the overall circumstances of the case and the materials appearing against the present petitioner, I am not inclined to enlarge the petitioner on bail at this stage, since the commitment is pending for almost a year.

Hence, the prayer for bail of the petitioner is **Rejected.**

However, the State is directed to exhaust the process of law already issued by the learned Magistrate. The learned Magistrate, in the circumstances, either split up the trial or follow the procedure under section 356 of the BNSS, thereafter, commit the case to the court of Sessions. The whole process would be completed by 31st January, 2026.

The learned Sessions Court would, within 45 days on receipt of the records, overcome the stage of consideration of charges.

The petitioner would renew his prayer for bail after the stage of consideration of charge is over.

Accordingly, CRM(M) 1869 of 2025 is **dismissed.**

Pending application(s), if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)