

06.11.2025
Court No.35.
D/L. 6.
sudipta

CRM (M) 2142 of 2025

In Re: An Application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Gazole Police Station Case No. 610 of 2024 dated 24.07.2024 under Sections 310(2) / 311 of the BNS, 2023 read with Sections 25 / 27 / 35 of the Arms Act, 1959 and read with Section 3/4 of the Explosives Substances Act, 1908.

And

In the matter of : Samir Mondal @ Tapas

.....Petitioner

Mr. Sanat Kr. Das
Mr. Sujan Chatterjee
Mr. Rohan Bavishi

.....for the Petitioner.

Mr. Sanjay Banerjee
Ms. Ratna Ghosh

.....for the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for one year three months and although the charge has been framed, till date no witness has been examined by the prosecution. Additionally, it has been submitted that the prosecution has relied upon 42 witnesses to prove the case and the statement of the witnesses do not reflect that there has been any seizure from the possession of the petitioner.

Learned advocate for the State has opposed the prayer for bail and submits that the petitioner is connected with the offence being a person of the locality. Learned advocate for the

State has submitted a report which also reflects that the present petitioner is involved in five cases. Let the report be taken on record.

It has also been submitted on behalf of the State that although 42 witnesses have been cited prosecution would examine 35 witnesses.

Having considered the antecedents of the present petitioner and his complicity, as is reflected from the Case Diary, at this stage, I am not inclined to release the petitioner on bail.

However, having considered the period of detention I direct the learned Trial Court to take steps for conclusion of the evidence of 12 witnesses by 31st March, 2026. The petitioner and other accused persons are directed to co-operate with the learned Trial Court. It is further directed that the trial of the present case would continue inspite of resolution of the local bar. If inspite of such efforts 12 witnesses cannot be examined without any fault on the part of the accused, petitioner would be at liberty to approach this Court with similar prayers.

Accordingly, CRM (M) 2142 of 2025 is dismissed at this stage.

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.)