

CRM (M) 2246 of 2025

In Re: - An application for bail under Section 439 of Cr.P.C./Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Beldanga** P.S. Case No. **509 of 2022** dated **26.08.2022** under Sections **302/34** of the Indian Penal Code read with Sections 25/27 of the Arms Act.

And

In the matter of :

Goljar Sk. @ Waskurni @ Waskurni Sk. @ Goaljar @ Washkuruni
....Petitioner.

Mr. Sandipan Ganguly, Sr. Adv.
Mr. Arnab Kr. Neogi
Mr. Anirban Saha
Mr. Sourav Samanta
....for the petitioner.

Mr. Sanjay Banerjee
Mr. Prakash Mishra
.....for the State.

Md. Bani Israil
Mr. Aranya Basu
Mr. Sayed Md. Sayud
....for the de facto complainant

Report filed on behalf of the State is taken on record.

Learned senior counsel appearing on behalf of the petitioner submits as follows. The petitioner is in custody for three years and three months. While he was in custody three other co-accused were granted bail by this Court. The petitioner stands on quite the same as those co-accused. The trial of the case is being protracted for no fault of the petitioner. On the last date, no one appeared on behalf of the prosecution and even the prosecution witnesses were absent.

Learned counsel appearing on behalf of the de facto complainant vehemently opposes the prayer for bail.

Learned counsel appearing on behalf of the State opposes the prayer for bail. At the very outset, he submits that two of the three other co-accused who were granted bail, were found threatening witnesses. This led to the registration of Berhampore P.S. Case No. 1738 of 2025 dated 05.08.2025 under Sections 232(1)/3(5) of the BNSS. The petitioner stands on a unique footing in as much as he was the one who jumped on the chest of the victim and practically sawed the victim to death. He is the prime accused in this case. There are six other eye-witnesses yet to be examined and the other co-accused released on bail have already started threatening witnesses. Every effort will be made to conclude the trial within six months from the next date of hearing before the learned trial Court i.e., 8th January, 2026.

Considering the above, the incriminating materials available against the present petitioner and the fact that some more eye-witnesses are yet to be examined, I am not inclined to grant bail to the petitioner at this stage.

However, the trial Court is requested to conclude the trial expeditiously by holding day to day hearing. The petitioner shall be at liberty to renew the prayer for bail, if the trial is not completed within six months from the next date of hearing.

With these observations, the application for bail is disposed of.

(Jay Sengupta, J.)