

12.11.2025

Item No.60

Ct.No.35

dc.

Rejected

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

C.R.M. (M) 2249 of 2025

In Re : An Application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Kaliachak Police Station Case No. 23 of 2025 dated 05.01.2025 under Sections 126(2)/117(2)/118(2)/109/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In Re : **Saruf Sk @ Saruk Khan**

... Petitioner.

Mr. Amitabha Karmakar,
Mr. Arup Kumar Bhowmick

... For the Petitioner.

Mr. Mainak Gupta

... For the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for about 10 months and other accused persons have already been released on bail. Learned advocate submits that since the investigation has already been concluded, petitioner may be released on bail on any stringent condition.

Learned advocate appearing for the State has produced the case diary.

I have considered the materials appearing in the case diary so far as all the accused persons are concerned. On an assessment of the same, I find that the other accused persons who are released on bail, are situationally on a different footing than the present petitioner. There is another absconding accused who is on the same footing as the present petitioner. In view of reducing further wastage of

time by the learned court in seisin of the case and for expediting the committal procedure, I direct that the learned Trial Court would exhaust the process of law so far as the absconding accused is concerned. Thereafter, if required, split up the trial of the case and take steps for committing the case to the learned sessions court. At this stage, I am not inclined to release the petitioner on bail. As such, the prayer for bail of the petitioner is **rejected**.

Petitioner would be at liberty to take steps, if there is no progress in the case so far as the issue relating to commitment of the case to the sessions court is concerned.

The application for bail, being CRM (M) 2249 of 2025, is, thus, disposed of.

Case diary be returned to the learned advocate appearing for the State.

Learned advocate for the State is directed to immediately inform this order to the learned court already in seisin of the case.

All concerned 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 with all requisite formalities.

(Tirthankar Ghosh, J.)