

D/L 36
08.12.2025
Bpg.
dismissed

C.R.M. (M) 2581 of 2025

In Re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973/under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Khanakul Police Station Case No.718 of 2023 dated 06.12.2023 under Sections 302/34 of the Indian Penal Code;

Sanat Ghorui & Anr.
Versus
The State of West Bengal

Mr. Goutam Banerjee
Mr. Amitabha Karmakar.
...for the petitioners.

Mr. Antarikhya Basu
Mr. Subhajit Chowdhury.
...for the State.

Learned advocate appearing for the petitioners submits that both the petitioners are in custody for about 2 years and hardly there has been any progress in the case. Prosecution has relied upon 22 witnesses out of which the evidence of P.W.1 is in progress. There is no possibility of the trial concluding in near future and, as such, on any stringent conditions, the petitioners may be released on bail.

Learned advocate appearing for the State opposes the prayer for bail and submits that prosecution has put in efforts. However, for reasons beyond control, there is delay in the trial as for substantial period of time cross-examination of P.W.1 is continuing.

To that effect, learned trial court is directed to complete

at least 6 witnesses by 31st May, 2026. The witnesses which will be produced by the prosecution must be vulnerable and who were eyewitnesses to the incident. Petitioners will renew their prayer for bail after the said stage is over. No unnecessary adjournments be granted to any of the parties and the trial of the case would continue in spite of any resolution of the local bar.

Accordingly, CRM(M) 2581 of 2025 is dismissed at this stage.

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.)