

10.12.2025
Serial no. 39
[G.S.D]

CRM (M) 2623 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 **Contai PS Case No. 114 of 2022 dated 13.03.2022 u/s 302/120B of the IPC.**
-And-

In the matter of : Bubun Maity

... .. Petitioner(s)

Mr. Amitabha Karmakar
Mr. Arup Kumar Bhowmick

... for the Petitioner(s)

Mr. Ranabir Roy Chowdhury
Mr. Subham Bhakat

... for the State-respondent(s)

Learned advocate for the petitioner submits that since May, 2025, no witness has been examined by the prosecution and the petitioner is unnecessarily detained in custody for three years and nine months.

Learned advocate for the State draws the attention of the court to the order passed in CRM(M) 1056 of 2025 wherein by an order dated 18.08.2025, a Co-ordinate Bench of the Hon'ble Court was pleased to direct the State to conclude all the witness action within a period of six months from the next date so fixed.

However, the said period is not over and the petitioner has approached this court.

Having considered the same, I am not inclined to enlarge the petitioner on bail.

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

In view of the directions having been passed above, the learned trial court is directed to stick to the schedule earlier directed by the Hon'ble High Court and, in case, there is any failure on the part of the prosecution, the learned trial court would release the petitioner on bail on such terms and conditions as it deems fit and proper to ensure the appearance of the accused/petitioner. No unnecessary adjournment be granted to any of the parties and the trial of the case would continue inspite of any resolution of the local Bar.

Accordingly, CRM(M) 2623 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.)

