

22.12.2025

Item No.34

Ct.No.35

dc.

Allowed

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

C.R.M. (M) 2657 of 2025

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Ballygunge Police Station DD Case No. 01 of 2022 dated 08.01.2022 under Sections 120B/387 of the Indian Penal Code, 1860 and Sections 25/27 of the Arms Act, 1959.

And

In Re : **Vikash Kumar Pandey**

... Petitioner.

Mr. Bibaswan Bhattacharya,
Ms. Rupannita Laha

... For the Petitioner.

Ms. Trina Mitra

... For the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 3years 11 months and the prosecution has cited 69 witnesses in support of its case. Till date, only six witnesses have been examined. Petitioner prays for bail on any stringent condition.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and submits that prosecution proposes to examine 40 witnesses and six witnesses have already been examined. It has also been canvassed that from the custody of the present petitioner, certain documents have been recovered. There were cash transactions on the basis of which motorcycle was recovered and used in the commission of alleged offence. As such, petitioner is not similarly situated as the other accused viz.

Avinash Rout @ Avinash Kumar Rawat who has granted bail on 21.11.2025 in CRM (M) 2281 of 2025. The ground for granting bail to the other accused was delay in the trial and never on the merits of the case. The petitioner's complicity, *prima facie*, appears to be thickly connected with the offence, but the same is subject to proof by the court during the course of trial.

Having considered the period of detention of the petitioner for 3 years 11 months in custody, I am of the view that further detention of the present petitioner in connection with the instant case is unwarranted. As such, the prayer for bail of the petitioner is **allowed**.

Accordingly, the petitioner viz., **Vikash Kumar Pandey** shall be released on bail upon furnishing bond of Rs.20,000/-, with two sureties of Rs.10,000/- each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Alipore.

If on bail, the petitioner shall be physically present on each and every date so fixed by the learned Trial Court and shall not leave the jurisdiction of the district of South 24-Parganas without the leave of the learned Trial Court.

Report submitted by the learned advocate appearing for the State be kept with the record.

Case diary be returned to learned advocate for the State.

The application for bail, being CRM (M) 2657 of 2025, is, thus, disposed of.

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.)