

22.12.2025

Court No.35.

D/L. 56.

Kausik

(Rejected)

CRM (M) 2681 of 2025

In Re: An Application for Bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023/ Section 439 of the Code of
Criminal Procedure, 1973 in connection with Naihati Police
Station Case No. 59 of 2024 dated 24.02.2024 under sections
326/506/201/120B/34 of the Indian Penal Code.

And

In the matter of : Sambhu Pal & Ors.

.....Petitioners.

Mr. Joydeep Biswas
Mr. Manojit Debnath
Mr. Koushik Ghosh

.....for the Petitioners.

Ms. Rajnandini Das

.....for the State.

Learned advocate appearing for the petitioners submits
that petitioners are in custody for 11 months and the
investigation has been concluded, charge sheet has been
submitted. However, charges are yet to be framed, as such the
petitioners may be released on bail.

Learned advocate for the State opposes the prayer for
bail and draws the attention of the Court to the dying
declaration. Learned advocate submits that the petitioners are
similarly placed as the other accused persons who have been
granted bail.

I have taken into account and prima facie I am of the opinion that the similar principles of parity will not apply so far as the present petitioners are concerned.

At this stage, I am not inclined to release the petitioners on bail.

Accordingly, CRM (M) 2681 of 2025 is **dismissed**.

However, I direct that after consideration of the charges and the completion of evidence of CSW 1, CSW 3 and CSW 6, petitioners would renew their prayer for bail.

Learned Trial Court is directed to give priority to these witnesses and complete their evidence by 15.04.2025.

All parties shall act in terms of server copy of the order 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.)