

23.12.2025
Court No.35.
D/L. 122.
Rakib
(Rejected)

CRM (M) 2793 of 2025

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 arising out of Raiganj Police Station case no. 475 of 2025 dated 09.05.2025 under Sections 103(1) of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of : Anitya Das.

.....Petitioner.

Mr. Amit Roy

Mr. Anish Tiwari

.....for the Petitioner.

Mr. Bibhaswan Bhattacharya

Mr. Saptarshi Chakraborty

.....for the State.

Learned advocate appearing for the petitioner submits that the case is based on circumstantial evidence and there are no eye-witnesses to the incident. The prosecution has already submitted charge-sheet relying upon 23 witnesses.

Considering the fact that prosecution intends to examine 23 witnesses in support of its case and the charge till date has not been framed. Petitioner prays for bail on any stringent conditions.

Learned advocate for the State opposes the prayer for bail and submits that there are witnesses who have seen the petitioner running away from the place of occurrence simultaneously with the incident occurring and has associated the present petitioner with the incident. Even the recovery of the offending weapons was made pursuant to the statement of the present petitioner.

Be that as it may, the charges are yet to be framed in this case. The case is under Section 103(1) of the BNS, 2023. I have taken into account the materials appearing in the Case Diary and I direct the learned Sessions Court to overcome the stage of consideration of charges on the next date so fixed or within a week thereafter.

As on parity basis the learned trial Court would record the evidence of CSW 10, CSW 11, CSW 12 and CSW 13; preferably within a period of three months from the date of consideration of charges.

Petitioner would renew his prayer for bail after the evidence of aforesaid witnesses is over.

At this stage, CRM (M) 2793 of 2025 is **dismissed**.

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.)