

16.
04-02-2026
(ct. no.08)
S. De
265777

CRM (M) 94 of 2026

In Re: An application for Bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023.
And

In the matter of : **Some Nath Tewary @ Somenath Tewary.**

Mr. Ayan Basu,
Sk. Salim,
Mr. Sumit Routh, ...for the petitioner.

Mr. Arijit Gangully,
Mr. Asraf Mondal, ...for the State.

Ms. Sharmistha Ghosh,
Mr. Amit Ghosh, ...for the I.O.C.L.

Petitioner has been implicated in connection with the present case and the allegation so far as the present petitioner is concerned relates to the boring and extracting oil from the I.O.C.L. supply line. Consequently, the charges are not only under the Indian Penal Code but also under the provisions of Petroleum and Mineral Pipe Line (Acquisition of Right of User in Land Act) 1962 and Section 3/4 of the Protection of Damage to Public Property Act, 1984 and the Explosive Substances Act, 1908.

Learned advocate for the petitioner submits that the co-accused is on bail.

On the other hand, the learned advocate for the State submits that the present petitioner is the mastermind of the offence. Prosecution is putting in efforts but time is being stretched and the other accused who are absconding have been arrested. This is the reason why trial is consuming

certain time. But at the same time it is to be appreciated that the petitioner is also stretching the time because of cross-examination.

Having considered the present stage when the warrant of arrest against the absconding accused are in process for execution, I am of the view that at this stage releasing the accused would jeopardize further progress of the case.

Consequently, at this stage, CRM (M) 94 of 2026 is dismissed.

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 the order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)