

06.02.2026
Court No.35.
D/L.62.
Rakib
(Rejected)

CRM (M) 155 of 2026

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 in connection with English Bazar Police Station case no. 1244 of 2024 dated 05.09.2024 under Sections 103(1)/109/118(2) of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of : Shyam Ghosh.

.....Petitioner.

Mr. Biswajit Tiwari

.....for the Petitioner.

Ms. Zareen N. Khan

Mr. Atif Ahmed Siddiqui

.....for the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for one year five months and only 4 witnesses out of 30 witnesses have been examined till date. Even the witnesses who have examined did not support the prosecution case.

Learned advocate for the State opposes the prayer for bail and draws the attention to the earlier order passed wherein it was observed that there are other eye-witnesses to the incident who are yet to be examined and the offending weapon was recovered at the instance of the present petitioner.

Having considered the complicity of the present petitioner, I am not inclined to release the petitioner on bail at this stage.

However, there is no progress in the case from September, 2025, the State would put in efforts so that at least 11 more witnesses are examined within a period of six months.

At this stage, the prayer for bail of the petitioner in CRM (M) 155 of 2026 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.)