

04.02.2026

Item No.13

Ct.No.35

dc.

Rejected

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

C.R.M. (R) 12 of 2026

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 Nayagram Police Station Case No. 17 of 2013 dated 22.05.2013 under Sections 406/409/420/34 of the Indian Penal Code corresponding to Sections 316(2)/316(5)/318(4)/3(5) of the Bharatiya Nyaya Sanhita, 2023 read with Sections 13(1)(c)/13(2) of the Prevention of Corruption Act, 1988.

And

In Re : **Bhagyadhar Nayek**

... Petitioner.

Mr. Satyendra Agarwal,
Mr. Bijoy Bag,
Mr. Goutam Malik

... For the Petitioner.

Mr. Debasish Roy, Ld. PP,
Ms. Nandini Chatterjee

... For the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for more than 2 years 10 months and the evidence of the first witness is in progress.

Learned Public Prosecutor appearing for the State, on the other hand, opposes the prayer for bail and submits that there is a slow progress, but the prosecution is solely not responsible for the same. The prosecution intends to examine 12 witnesses.

Be that as it may, petitioner was absconding from the year 2013 and the warrant of arrest could be executed in the year 2023. Having considered that after ten years tracing out the witness itself would be headache for the prosecution,

mere consumption of time for progress of the trial in a case of corruption cannot be a ground for granting bail. As such, at this stage, the prayer for bail of the petitioner is **rejected**.

The application for bail, being CRM (R) 12 of 2026, is, thus, 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 this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)