

25.03.2026

Item No.44

Ct.No.35

dc.

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (M) 251 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 Raniganj Police Station Case No. 188 of 2024 dated 10.06.2024 under Sections 395/397/307/186/333/353/427/506 of the Indian Penal Code, 1860 adding Sections 120B/412 of the Indian Penal Code, 1860 read with Sections 25/27/35 of the Arms Act, 1959 (G.R. Case No. 1598 of 2024).

And

In Re : **Shashikant Mali**

... Petitioner.

Mr. Ayan Bhattacharjee, Sr. Adv.,
Mr. Kunal Ganguly

... For the Petitioner.

Mr. Debasish Roy, Ld. PP,
Mr. Partha Pratim Das,
Mr. Abhishek Verma

... For the State.

Report submitted by the learned advocate appearing for the State be kept with the record.

Learned senior advocate appearing for the petitioner submits that the petitioner is in custody for 1 year 9 months and he has been accused only of harboring the offenders. Petitioner denies the seizure from the particular address where it has been made and submits that a stock witness has been used for implicating the petitioner from a premises with which the petitioner has no association. It has also been submitted that prosecution has relied upon 94 witnesses, out of which till date only one witness has been examined.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and submits that the chain of circumstances do implicate the present petitioner in connection with the instant case and the case is not only of harboring the offenders, but of a conspiracy for committing the dacoity and robbery. To that effect, learned advocate intends to rely upon the previous contact between the present petitioner and the other accused persons who were involved in the offence as also the recovery which has been made being a part of the booty of dacoity of the jewellery shop wherein the offence was committed. Learned advocate for the State admits that there are 94 witnesses and the progress of the case is slow for other reasons which are beyond the control of the prosecution.

Having considered the gravity of the offence, I direct that at least fifty percent of the vulnerable witnesses proposed to be relied upon by the prosecution should be examined within a period of three months from the next date fixed by the learned Trial Court.

Petitioner would be at liberty to approach this Court after the aforesaid time period is over.

At this stage, the prayer for bail of the petitioner is **rejected.**

The application for bail, being CRM (M) 251 of 2026, is, thus, disposed of.

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.)