

27.03.2026
Serial no. 25
[G.S.D]

CRM (M) 316 of 2026

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/under Section 483 of the BNSS, 2023 in connection with Arambagh Police Station Case No. 295 of 2020 dated 07th Day of August, 2020 u/s 341/325/326/307/302/379/427/506/34 of the IPC read with Sections 3/4 of the Explosive Substance Act, 1908 and Section 25/27 of the Arms Act, 1878.
-And-

In the matter of : Sk Taibul Ali @ Taibul Ali

	... Petitioner(s)
Mr. Satadru Lahiri Mr. Jyotirmoy Talukder	
	... for the Petitioner(s)
Mr. Jaydeep Biswas Ms. Eshita Dutta	
	... for the State-respondent(s)
Mr. Niladri Sekhar Ghosh Ms. Laboni Sikder Mr. Souvik Dey	
	... for the defacto-complainant

Learned advocate for the petitioner submits that the petitioner is in custody for five year eight months and the when the trial was proceeding towards the end, the prosecution proposes to re-examine some of the witnesses as also examine another 28 witnesses freshly. In all, presently, 39 witnesses are to be examined by the prosecution.

Earlier, the Hon’ble Supreme Court by an order dated 09.10.2025 passed in Special Leave to Appeal (Crl.) No.(s) 9163 of 2025 was pleased to direct the learned trial court to complete the trial within three months.

Learned advocate for the State submits that the Public Prosecutor conducting the case, for the ends of justice, intends to examine such witnesses.

Be that as it may, there is administration of justice where a court has to balance between the liberty of a person and the number of witnesses to be examined.

Having considered the time period which has been consumed and the learned trial court allowing the application under Section 311 of the Cr.P.C., I direct the learned trial court to conclude the 39 witnesses proposed to be examined by the prosecution within two months preferably by 27th May, 2026.

In case, the prosecution is unable to complete the witnesses by 27th May, 2026, the learned trial court will release the petitioner on bail on such terms and conditions as it deems fit and proper for ensuring further appearance in course of the trial.

With the aforesaid observations, CRM(M) 316 of 2026 is disposed of.

The learned advocate for the petitioner and the State would communicate this order to the learned jurisdictional court.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)

