

D/L44
19.02.2026

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dismissed

C.R.M. (M) 297 of 2026

In Re: An application for bail under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023/under Section 439 of the Code of Criminal Procedure, 1973 filed in connection with Amdanga Police Station Case No.391 dated 22.07.2021 under Sections 302/201/120B/34 of the Indian Penal Code, 1860 ;

Moidul Mondal @ Raja

Versus

The State of West Bengal

Ms. Pranidhi Singh.

...for the petitioner.

Mr. Joydeep Roy

Ms. Debjani Sahu.

...for the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 4 years 6 months 18 days and out of 27 witnesses proposed to be examined by the prosecution, till date, 10-13 witnesses have been examined. According to the learned advocate, case is based on circumstantial evidence and the postmortem report suggests that the cause of death was because of manual strangulation.

Learned advocate for the State opposes the prayer for bail and draws the attention of the Court to the postmortem report as well as the recovery which has been made from the house of the present petitioner.

I find that there are number of abrasions as well as haematoma on the body of the deceased along with other symptoms relating to the cause of death. There has been a recovery of a

wearing apparel allegedly that of the deceased.

Be that as it may, the evidence is half way completed, as such, at this stage, if the petitioner is released on bail, there is every possibility of the progress of the trial being jeopardized. However, the learned trial court as well as the prosecution should appreciate that for indefinite period an accused cannot be kept in custody. The learned trial court and the prosecution would ensure that at least 7 to 8 more witnesses are examined within the next three months. Petitioner will renew the prayer for bail after three months.

At this stage, CRM (M)297 of 2026 is dismissed.

Let this order be communicated to the learned trial court through the learned advocate appearing on behalf of the State.

All 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 of all requisite formalities.

(Tirthankar Ghosh, J.)