

25.02.2026

Item No.209

Ct.No.35

dc.

Rejected

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

C.R.M. (M) 423 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 Hanskhali Police Station Case No. 566 of 2021 dated 10.08.2021 under Sections 395/397/412 of the Indian Penal Code, 1860 and Section 25(I)(a) of the Arms Act.

And

In Re : **Nitya Barai alias Nitya Baray**

... Petitioner.

Ms. Sananda Bhattacharyya

... For the Petitioner.

Mr. Sanjay Banerjee,

Ms. Debjani Sahu

... For the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 4 years 3 months and only few witnesses have been examined and there is no possibility of the trial concluding in the near future. As such, petitioner may be released on bail.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and submits that out of 19 witnesses cited in the charge-sheet, 15 witnesses have already been examined and the prosecution would at the earliest conclude rest of the four witnesses.

Having considered that the case is at the final stages, I am not inclined to release the petitioner on bail as there are allegations of recovery and the petitioner has been identified in the T.I. Parade. As such, the prayer for bail of the petitioner is **rejected**.

The application for bail, being CRM (M) 423 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.)