

18.06.2026

Item No.31

Ct.No.35

dc.

Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (M) 590 of 2026

In Re : An Application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 corresponding to Section 439 of the Code of Criminal Procedure, 1973 filed in connection with Kulpi Police Station Case No. 307 of 2021 dated 04.10.2021 under Sections 302/120B/34 of the Indian Penal Code (G.R. Case No. 2720 of 2021).

And

In Re : **Saifuddin Purkait**

... Petitioner.

Mr. Soumya Nag,
Mr. Rajdeep Sengupta

... For the Petitioner.

Mr. Neel Chakraborty

... For the State.

Mr. Krishan Ray,
Ms. Isita Kundu

... For the *de facto* complainant.

Learned advocate appearing for the petitioner submits that the petitioner was initially granted bail and after nine months his bail was cancelled by the Hon'ble High Court. Thereafter, petitioner surrendered and is in custody for 2 years 6 months. According to the learned advocate, the petitioner as a whole has been behind the bar for 3 years 2 months. According to the petitioner, similarly placed accused persons are on bail and there is no possibility of the trial concluding in near future as till date, out of 32 witnesses, only 6 witnesses have been examined. As such, petitioner may be released on bail.

Learned advocate appearing for the *de facto* complainant opposes the prayer for bail and submits that

locus of the present petitioner is not similar as the accused persons who have been granted bail. There has been additional recovery of documents which changes the complicity of the present petitioner with the locus of the other accused persons who have been granted bail. Opinion of the fingerprint expert also goes against the petitioner and it is the present petitioner only who has delayed the trial for which he is responsible.

Learned advocate appearing for the State also opposes the prayer for bail and draws the attention of the Court to the seizure list witnesses in respect of the offending weapons which have been seized, the *post mortem* report, the FSL report along with the added plea of the delay contributed to the present petitioner.

I have taken into account the locus of the accused viz. Jahiruddin Gayen who is on bail and I do not find that petitioner is much differently situated than the other accused who have been granted bail. Petitioner has contributed to the delay. However, having considered that the petitioner overall is in custody for more than three years and till date, only six witnesses have been examined along with the fact that the prosecution intends to examine 32 witnesses, I am of the view that further detention of the present petitioner in the present set of circumstances is unwarranted. As such, the prayer for bail of the petitioner is **allowed**.

Accordingly, the petitioner viz., **Saifuddin Purkait** shall be released on bail upon furnishing bond of Rs.20,000/-,

with two sureties of Rs.10,000/- each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Diamond Harbour, South 24-Parganas.

If on bail, the petitioner shall be physically present on each and every date so fixed by the learned Trial Court and shall not leave the jurisdiction of the district of South 24-Parganas without prior permission of the learned Trial Court.

The petitioner shall also inform his address where he would be residing and would meet with the Inspector-in-Charge/Officer-in-Charge, Kulpi Police Station or any officer assigned by him once in a fortnight till the evidence of vulnerable witnesses is over.

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

The application for bail, being CRM (M) 590 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.)