

**29.06.2026**  
**Serial no. 392**  
[G.S.D]

**CRM (M) 572 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 Goghat PS Case No. 169 of 2024 dated 7<sup>th</sup> day of April, 2024 u/s 302/201 of the IPC, 1860 and adding section 376 of the IPC, 1860 corresponding with GR Case No. 602 of 2024.  
-And-

**In the matter of : Durlav Roy @ Dulal Roy**

|                                                                 |                                 |
|-----------------------------------------------------------------|---------------------------------|
|                                                                 | ... Petitioner(s)               |
| Mr. Niladri Sekhar Ghosh<br>Ms. Labani Sikder<br>Mr. Souvik Dey |                                 |
|                                                                 | ... for the Petitioner(s)       |
| Mr. Gouranga Kumar Das, Id. APP<br>Mr. Sankalpa Bhattacharjee   |                                 |
|                                                                 | ... for the State-respondent(s) |

Learned advocate for the petitioner submits that the petitioner is in custody for two years three months and there are hardly any materials appearing against the present petitioner. Learned advocate added that the petitioner has been unnecessarily detained in custody. Learned advocate emphasizes that the prosecution has relied upon 37 witnesses but till date examined only four witnesses who do not till date convince the complicity of the present petitioner with the alleged offence.

Learned advocate for the State has produced the case diary and referred to the chain of events. However, emphasis has been made on the report submitted by the State Forensic Science Laboratory.

I have taken into account the expert's opinion and I find that not only a case for trial has been made out but the prescribed punishment under the provisions for which the petitioner has been charged is life imprisonment and/or death.

Having considered the manner in which the dead body of the deceased was lying and the place at which the alleged offence was committed which led to the investigating agency unearthing the case by way of only relying upon the evidence of the SFSL and the rest of the evidence being of hearsay in nature, I am of the opinion that this is not a fit case for releasing the petitioner on bail.

Hence, the prayer for bail of the petitioner is **Rejected.**

Learned advocate for the State would communicate this order to the conducting advocate before the learned trial court to reconsider the number of witnesses and for expediting the process of trial.

Accordingly, CRM (M) 572 of 2026 is **dismissed.**

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

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

**(Tirthankar Ghosh, J.)**

