

31.03.2026
Court No.35.
D/L. 116.
Kausik
(Rejected)

CRM (M) 603 of 2026

In Re: An Application for Bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023/ Section 439 of the Code of
Criminal Procedure, 1973 in connection with Basirhat Police
Station Case No. 537 of 2025 dated 16.06.2025 under Section
103(1)/61(2)/351(2)/319(2)/318(4)/336(2)/338/336(3)/3(5) of
BNS and Section 14(b)F of the Arms Act.

And

In the matter of : Firoz Gazi

.....Petitioner.

Mr. Arunava Mukherjee

.....for the Petitioner.

Mr. Kallol Kumar Basu
Md. Jannat Ul Firdous
Mr. Rajsekhar Hota

....for the Defacto Complainant.

Mr. Soumik Ganguly
Ms. Trisha Rakshit

.....for the State.

Learned advocate appearing for the petitioner submits
that the petitioner is in custody since 17th June, 2025,
prosecution intends to examine 50 witnesses in support of its
case. As such, there is no possibility of the trial concluding in
near future. At this stage, petitioner may be released on bail on
any stringent conditions.

Learned advocate for the State has produced the case
diary and submitted that petitioner was present at the spot and
was part of the conspiracy when another accused fired at the
deceased. To that effect, learned advocate for the State has

drawn the attention of the Court to the statement under Section 183 of the BNSS.

Learned advocate for the defacto complainant submits that there has been previous enmity existing on issues relating to land as well as political rivalry.

Having considered that the witness action has not commenced and there are 7 vulnerable witnesses as has been submitted by the learned advocate for the State, I direct the learned Trial Court that in case it is pleased to frame charges or overcome the stage of consideration of charges, in that case, priority be given for examination of the 7 vulnerable witnesses.

Petitioner would be at liberty to approach this Court after the evidence of such vulnerable witnesses are over.

At this stage, I am not inclined to release the petitioner on bail.

Accordingly, CRM (M) 603 of 2026 is **dismissed**.

State is directed to communicate this order to the learned Trial Court.

All parties shall act in terms of server copy of the order 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.)