

D/L 33

18.06.2026
Rohit, A.R.(Ct.)
ct.no.35
Allowed

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

C.R.M (M) 623 of 2026

**Khayer Sk.
Vs
The State of West Bengal**

In Re: An Application for Bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 in connection with **Lalgola** P.S.
Case No. **881 of 2024** dated **26.08.2024** under Sections
103(1)/61(2)/238/3(5) of B.N.S, 2023
And

In the matter of : Khayer Sk.

.....Petitioner.

Mr. Milon Mukherjee, Sr. Adv
Mr. Ysuf Ali Dewan
Mr. Asif Dewan
Mr. Mehedi Masud

...for the Petitioner

Mr. Pinaki Bhattacharyya

...for the State

Mr. Sabir Ahmed
Mr. Dhiman Banerjee
Mr. Md. Muslehuddin

...for the De fact Complainant

1. Learned Senior Advocate appearing for the petitioner submits that petitioner was arrested on 27th August, 2024 and since then he is in custody for more than one year nine months. The genesis of the case was because of property dispute and the materials which have been collected by the investigating agency has been framed in a manner so

that the petitioner and his sons are implicated in connection with the instant case.

2. It has also been submitted that a revisional application has also been preferred at the behest of other accused persons wherein there is an interim order in respect of the proceedings relating to those accused (CRR 4845 of 2025).

3. Mr. Ahmed, learned Advocate appearing for the de facto complainant submits that there are specific allegations so far as the present petitioner is concerned. It is the petitioner who has inflicted a vital blow resulting in the death of the victim.

4. The possibility of criminal antecedents against the petitioner cannot be ruled out.

5. Mr. Bhattacharya, learned Advocate appearing for the State opposes the prayer for bail and draws the attention of the Court to the statement of the witnesses which were recorded before the learned Judicial Magistrate. There are eye-witnesses so far as the present case is concerned. Charge-sheet and supplementary charge-sheet has been submitted before the jurisdictional Court.

6. I have taken into account the submissions of the learned Advocate for the respective parties. Till date charge has not been framed and the next date has been fixed for framing of charges. A revisional application is pending in respect of other accused persons. More than 22 witnesses are to be examined by the prosecution.

7. Taking into account the same and the genesis of the case is because of property dispute and the parties were having such long standing dispute for a considerable period of time and no documents have been placed before this Court to show that the petitioner is having any criminal antecedent as also the fact that the prospect of the trial being taken to its logical conclusion within a reasonable period of time is very bleak, I am inclined to release the petitioner on bail.

8. Accordingly, petitioner, namely, **Khayer Sk** shall furnish a bond of Rs. 20,000/- (Rupees Twenty Thousand Only) with two sureties of Rs. 10,000/- (Rupees Ten Thousand Only) each, one of whom must be local to the satisfaction of Learned ACJM, Lalbagh, Murshidabad.

9. If on bail, the petitioner shall be physically present on each and every date before the learned Trial Court and shall not enter into the jurisdiction of Lalgola Police Station except for the purposes of attending the Court till the stage of consideration of charges are over.

10. Petitioner shall once in a fortnight meet with the Officer-in-Charge/Inspector-in-Charge of the jurisdictional police station wherein he would be residing.

11. The acknowledgment in respect of the attendance be produced before the learned Trial Court and each and every date so that the learned Trial Court would be at discretion to monitor the case.

12. Accordingly, C.R.M (M) 623 of 2026 is **allowed**.

13. All parties shall act in terms of server copy of the order downloaded from the Official website of this Court.

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

(Tirthankar Ghosh, J.)