

16.04.2026

Court No.35.

D/L. 2.

Kausik

CRM (M) 658 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 Kaliachak Police Station Case No. 23 of 2025 dated 05.01.2025 under section 126(2)/117(2)/118(2)/109/3(5) of the BNS, 2023 and under section 25/27/35 of Arms Act, 1959.

And

In the matter of : Saruf Sk @ Saruk Khan

.....Petitioner.

Mr. Arnab Chatterjee

Mr. Avik Ghosh

.....for the Petitioner.

Mr. Anupam Das Adhikari

Mr. Soukteya Ganguly

.....for the State.

Learned advocate appearing for the petitioner submits that inspite of the earlier direction passed by this Court on 12.11.2025, the case has not been committed to the Court of Sessions and it has been also submitted that another accused, in the meantime, namely, Haiyat Sk, was arrested and subsequently granted bail by the learned Sessions Judge.

The earlier order itself reflects that the petitioner is not similarly situated as other accused persons. The statement of the injured reflects petitioner and one Samim Khan are the principal accused.

Learned advocate for the State opposes the prayer for bail and submits Samim Khan is still absconding.

Having considered that the petitioner is in custody since 13 January, 2025, I direct the learned committing Court to complete the process of splitting up of the trial and commit the case to the Court of Sessions within a period of 60 days. After receipt of the records from the learned Magistrate the learned trial Court at the earliest would overcome the stage of consideration of charges.

Thereafter the learned Trial Court would leniently consider the prayer for bail of the present petitioner only on the ground of period of detention.

With the aforesaid observations CRM (M) 658 of 2026 is disposed of.

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.)