

D/L 31

23.06.2026
Rohit, A.R.(Ct.)
ct.no.35
Rejected

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

C.R.M (M) 726 of 2026

**Basar Mondal @ Basar Ali @ Basar Sk. @ Basarul Islam Sk.
& Anr.**

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 **Khargram** Police
Station Case No. **312 of 2016** dated **06.07.2016** under Sections
302/34 of the IPC and Section 27 of the Arms Act
And

In the matter of :

- 1. Basar Mondal @ Basar Ali @ Basar Sk. @
Basarul Islam Sk.**
- 2. Final Sk. @ Sahidul Khan @ Saidul Khan
.....Petitioners.**

Mr. Milon Mukherjee, Sr. Adv
Mr. Dattatreya Dutta

...for the Petitioners

Mr. Arushi Rathore

...for the State

Mr. Soumyajit Das Mahapatra
Mr. Madhurai Sinha
Ms. Upasana Banerjee
Mr. Bisal Roy

...for the De Facto Complainant

1. Learned Senior Advocate appearing for the petitioners
submits that the petitioner no. 1 is in custody for two
years three months and petitioner no. 2 is in custody for
one year five months. So far as the charges are concerned
it has been framed but till date no witness has been
examined. The other accused persons who were earlier

tried has been convicted and they have been granted bail by the Appeal Court.

2. Learned Advocate for the State opposes the prayer for bail and submits a report drawing the attention of the Court to the factum of seven criminal cases previously pending against the petitioner no. 1 of which petitioner no. 1 was acquitted in one of the case. So far as the petitioner no. 2 is concerned eight cases are pending against him of which in one case he has been acquitted.

3. Petitioners are having criminal antecedents. They have been evading the process of law so far as the present case is concerned.

4. Learned Advocate for the de facto complainant is present and opposes the prayer for bail.

5. The present case was registered in the year 2016. Records reflect petitioners were evading the process of law for a considerable period of time.

6. The trial of the case in respect of the other accused has been completed. For recalling the witnesses some time is required by the prosecution and accordingly at this stage the prayer for bail of the petitioners is rejected.

7. State would put in efforts for expediting the process of trial. As such, CRM (M) 726 of 2026 is dismissed.

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

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

(Tirthankar Ghosh, J.)