

30.06.2026
Court No.35.
D/L. 91.
Kausik
(Rejected)

CRM (M) 923 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 Kankartala Police
Station Case No. 23 of 2025 dated 22.02.2025 under Sections
191(2)/191(3)/190/103(1)/61(2) of the BNS, 2023 read with
Section 25/27 of the Arms Act, 1959.

And

In the matter of : Sk. Kalo @ Sk. Ajfar

.....Petitioner.

Mr. Sabir Ahmed
Mr. Pinak Kumar Mitra
Mr. Dhiman Banerjee
Ms. Ankita Dutta

.....for the Petitioner.

Mr. Satadru Lahiri
Mr. Soumya Basu Roy Chowdhury

....for the Defacto Complainant.

Mr. Gourangya Kumar Das, APP
Mr. Amal Kumar Datta

.....for the State.

Learned advocate appearing for the petitioner submits
that petitioner is in custody for about a year and falsely
implicated in connection with the instant case because of other
issues involved. Petitioner is a businessman and there is no
possibility of the petitioner fleeing away from the process of law
and the trial would consume substantial time as the
prosecution has relied upon 42 witnesses, the petitioner may
be released on bail.

Learned advocate for the State has produced the case diary, emphasized on the factum of previous antecedents of the present petitioner, drawn the attention of the Court to the post-mortem report as well as the statement under Section 164 of Cr.P.C./Section 183 of BNSS of an eye witness being the brother of the deceased.

Learned advocate for the defacto complainant is present and opposes the prayer for bail.

It has been submitted by the learned advocates appearing for the respective parties that the trial of the case has commenced. Having considered the materials available in the case diary, at this stage, I am not inclined to release the petitioner on bail.

Petitioner would be at liberty to renew his prayer for bail after the evidence of the vulnerable witnesses are over. Learned Trial Court would adhere to the provisions of Section 309 of the Cr.P.C. and ensure that the evidence of the witnesses are recorded at the earliest.

Accordingly, CRM (M) 923 of 2026 is **dismissed**.

Memo of Evidence submitted be kept with the record.

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.)