

D/L45
15.06.2026
Bpg.
Dismissed

C.R.M. (M) 1306 of 2026

In Re: An application for Bail under Section 439 of the Code of Criminal Procedure, 1973, corresponding to section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Titagarh Police Station Case No.443 of 2023 dated 15.09.2023 under Sections 302/34 of the Indian Penal Code;

Md. Bikki @ Bicky & Ors.
Versus
The State of West Bengal

Mr. Debasis Kar
Ms. Paramita Mukherjee
Ms. Rimi Sil.
...for the petitioners.

Mr. Rajendra Banerjee
Mr. Arnab Sau.
...for the State.

Learned advocate appearing for the petitioners submits that the petitioners are in custody for 2 years 9 months and till date out 28 witnesses, only 4 witnesses have been examined and P.W.5 is in progress. Additionally, it has been submitted that on any stringent conditions, petitioners may be released on bail as there is no possibility of the trial being concluded in near future.

Learned advocate appearing for the State opposes the prayer for bail and draws the attention of the Court to the statement of the witnesses who were available when the deceased was picked up by the accused persons with the purpose of inflicting injuries. There are other witnesses also in support of the prosecution case.

I find that the prosecution witness no.3 whose statement

under Section 164 of Cr.P.C. was recorded has already turned hostile. The nature of the offence reflects the manner in which petitioners' committed the offence. Having considered the same and the fact that the petitioners are having clout so that the relevant witnesses are turning hostile, I am of the opinion that they are substantially influential in the locality and their release may jeopardize the trial. Accordingly, the prayer for bail of the petitioners are rejected at this stage.

Thus, CRM(M)1306 of 2026 is dismissed.

Report so submitted be kept with the record.

All parties shall act on the server copy of this order duly 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 of all requisite formalities.

(Tirthankar Ghosh, J.)