07.10.2026
Sl. No. 4
Court No.550
Rohan
(Rejected)

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION
APPELLATE SIDE

C.R.M.(M) 2323 of 2026

In Re: An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Domjur Police Station Case No. 824 of 2022 dated 05.10.2022 for the offences punishable under Sections 302/201/120B/34 of the Indian Penal Code, 1860.

-And-

In the matter of: Swapan Santra @ Mithun

...Petitioner

Mr. Sk. Toslim Ali

...for the Petitioner

Dr. Pradip Banerjee, APP
Ms. Nabanita Chatterjee

...for the State

1. Report submitted by the learned counsel for the State is kept with the record.

2. Learned counsel for the petitioner has submitted that petitioner is in custody for more than 4 years. The case is of circumstantial evidence. There is no eye-witness who saw the victim to commit the offence. The learned Trial Judge could not complete the prosecution evidence within 3 months as directed by the Hon'ble Coordinate Bench of this Court in CRM (M) 569 of 2026. As there is no chance of an early conclusion of the trial, the petitioner may be enlarged on bail on any condition.

3. Learned counsel for the State has submitted that there incriminating materials were recovered at the instance of the present petitioner. Out of 28 witnesses, 24 witnesses have been examined. On one occasion, i.e. on 11th August, 2026, the defence counsel took time, although, the witness was present. Learned counsel for the State further submits that on earlier two occasions, the bail petition was turned down by the Hon'ble Coordinate Bench of this Court.

4. I have gone through the materials on record. Out of 28 witnesses, 24 witnesses have been examined. There are sufficient incriminating evidence against the present petitioner. The proceeding of the case has been conducted with reasonable expedition. However, it is expected that the learned Trial Court shall expedite the process of conclusion of evidence within a very short time.

5. In view of the materials on record, I am not inclined to enlarge the petitioner on bail.

6. Accordingly, the prayer for bail of the petitioner, namely, **Swapan Santra @ Mithun** is **rejected**.

7. With the aforesaid observation, **CRM (M) 2323 of 2026** is **dismissed**.

8. All parties shall act in terms of the 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.

(Apurba Sinha Ray, J.)