

06.03.2026

Court No.35.

D/L. 33.

Kausik

(Rejected)

CRM (M) 2082 of 2025

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 Chapra Police Station Case No. 563 of 2024 dated 06.06.2024 under Sections 302/34 of the Indian Penal Code, 1860 and sections 25/27 of the Arms Act, 1959.

And

In the matter of : Tubai Ghosh

.....Petitioner.

Mr. Debasish Kar
Mr. Amanul Islam
Mr. Sourav Mukherjee
Mr. Raja Das
Ms. Paramita Mukherjee

....for the Petitioner.

Mr. Md. Adil Badr, Jr. Govt. Adv.
Mr. Md. Ejaz Akhter

....for the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for a period of 1 year and 8 months and there has been no progress in the trial. Earlier there were directions of this Court for examination of one Bablu Sekh. Till date the evidence of Bablu Sekh has not been recorded.

Learned advocate for the State opposes the prayer for bail, draws the attention of the Court to the statement of Bablu Sekh under section 164 of Cr.P.C., the T.I. Parade where the

present petitioner was identified and also the recovery which is reflected in the seizure list.

On an assessment of the materials available in the case diary, I am of the view that the present case is not a fit case for releasing the petitioner on bail.

Accordingly the prayer for bail of the petitioner in CRM(M) 2082 of 2025 is **rejected**.

However, earlier order reflects that on 02.01.2026 date was fixed for evidence of Bablu Sekh. Learned Trial Court would take steps so that the examination-in-chief and cross-examination of the said witness is completed at the earliest. After the evidence of Bablu Sekh, the learned Trial Court will examine the seizure list witnesses referred to in the seizure list dated 24.06.2024 wherein it has been contended regarding recovery of pistol and two rounds of 9 m.m. ammunition.

Petitioner will renew his prayer for bail after the 4 witnesses are over.

Accordingly, CRM (M) 2082 of 2025 is dismissed at this stage.

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.)