

09.04.2026

Item No.25

Ct.No.35

dc.

Rejected

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

C.R.M. (M) 2178 of 2025

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Raiganj Police Station Case No. 1328 of 2023 dated 14.12.2023 under Sections 302/201/120B/34 of the Indian Penal Code read with Sections 25(i)(a)/27/35 of the Arms Act.

And

In Re : **Sri Bhabani Kumar Roy @ Papai**

... Petitioner.

Mr. Sourav Mondal,
Mr. Abhijit Chandra Majumder

... For the Petitioner.

Mr. Iqbal Kabir,
Mr. Sufi Kamal

... For the State.

Learned advocate appearing for the petitioner submits that so far as the materials are concerned which have been relied upon by the prosecution in order to prove its case, the petitioner's complicity has not transpired from the same. Petitioner was not aware and he was not subjected to any scrutiny in course of investigation by the police authorities. Petitioner was employed at Telangana from where he was all on a sudden arrested on 20.08.2025 and produced before the Court and since then he is in custody.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and submits that there are materials to suggest that the petitioner has been named by several witnesses on whom the prosecution has relied upon, the evidence of such witnesses would be vital for proving the

prosecution case. Further, it has been submitted that the petitioner was evading the process of law for a period of one year eight months and by executing harsher process of law from a different State, petitioner had to be arrested.

I find from the charge-sheet that prosecution has relied upon 38 witnesses out of which 18 witnesses are individuals not connected to any department of the government. Out of 18 witnesses, prosecution would complete evidence of 10 vital witnesses at the earliest, preferably within a period of six months from the next date so fixed.

Learned Trial Court would adhere to the directions passed above for completing ten witnesses within the said period.

Petitioner will renew his prayer for bail after the aforesaid period is over.

At this stage, the prayer for bail of the petitioner is **rejected.**

Learned advocates for the petitioner and the State will communicate this order to the learned Trial Court for taking necessary action.

The application for bail, being CRM (M) 2178 of 2025, is, thus, disposed of.

All concerned 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 with all requisite formalities.

(Tirthankar Ghosh, J.)