

16.02.2026

Court No.35.

D/L.03.

Rakib

CRM (M) 2241 of 2025

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Kalyani Police Station Case no. 242 of 2022 dated 20.05.2022 under Sections 302/34 of the Indian Penal Code, 1860 read with Sections 25/27 of the Arms Act, 1959.

And

In the matter of : Debasish @ Debashis Karmakar @ Somu.

.....Petitioner.

Mr. Shibaji Kumar Das

Mr. Dipendu Sarkar

Ms. Maitrayee Das

.....for the Petitioner.

Mr. Submoy Bhattacharya

Mr. Raju Mondal

.....for the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for three years nine months and there is no possibility of the trial concluding in near future, as such he may be released on bail. It has further been submitted that petitioner is suffering from certain ailments, particularly, gallbladder related problems.

Learned advocate for the State submits that State intends to examine 8 more witnesses.

I have taken into account the facts that the present case and the complicity of the petitioner. Having considered the same, I am not inclined to release the petitioner on bail.

However, So far as the ailments of the petitioner are concerned, pursuant to the direction of the Hon'ble Supreme Court in Special Leave to Appeal (Crl.) No(s). 9327 of 2025 dated

27.06.2025 (**AS ISMAIL Vs. NATIONAL INVESTIGATION AGENCY**),

I direct the Superintendent of concerned correctional jail to ensure the medical treatment so far as the present petitioner is concerned. To that effect, report be sent to the trial court regarding the condition of the patient provided he is suffering from serious medical issues.

Having considered the ailments and issues relating to health of the petitioner is concerned, if an application is taken out by the petitioner before the learned trial Court, learned trial Court according to the needs of treatment will pass appropriate directions upon the jail authorities.

However, so far as the issue related to hail is concerned, the said prayer is not accepted.

Accordingly, CRM (M) 2241 of 2025 is **dismissed**.

Report submitted by the State 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.)