05.10.2026
Court No.35.
M/L. 36.
Kausik
(Rejected)

CRM (M) 2330 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 Kanksa Police Station Case No. 203 of 2024 dated 22.06.2024 under Sections 121/121A/123/125 of the Indian Penal Code, 1860 and under Sections 17/18/18A/18B/20 of Unlawful Activities (Prevention) Act, 1967.

And

In the matter of : Md. Habibullah @ Md. Habibulla

.....Petitioner.

Mr. Milon Mukherjee, Sr. Adv.
Mr. Mujibar Ali Naskar
Mr. Imtiaz Ahamad

.....for the Petitioner.

Mr. Gouranga Kumar Das, Ld. APP
Mr. Ramashis Mukherjee

....for the State.

Learned Senior Advocate appearing for the petitioner submits that petitioner is in custody for 2 years and 3 months. Only one witness has been examined. Prosecution intends to rely upon 38 witnesses. As such, there is no possibility of the trial being concluded in near future so the petitioner may be released on bail on stringent condition.

Learned Senior Advocate reserves his right to canvass on the legal issues which are appearing in the Court at the appropriate stage.

State has opposed the prayer for bail. Having regard to the nature of the accusations of the present case, I am of the opinion that some opportunity be granted to the State at this stage. Prosecution is directed to complete all the individual persons who are not associated with any government departments till serial number 21 in the charge sheet within a period of 6 months from the next date fixed.

No unnecessary adjournment be granted to any of the parties and the trial of the case would continue in spite of any resolution of the local bar.

At this stage, the prayer for bail is rejected.

Petitioner would be at liberty to produce the deposition of the witnesses which are completed within the next 6 months and renew the prayer for bail.

With the aforesaid observations CRM (M) 2330 of 2025 is **dismissed**.

Registrar General, High Court, Calcutta is directed to communicate this order to the learned Trial Court.

Mr. Gouranga Kumar Das, Ld. APP and Mr. Ramashis Mukherjee, Ld. Advocate appear on behalf of the State. Their appointment be regularized by the concerned authorities.

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.)