

16.02.2026

Court No.35.

M/L.237.

Rakib

(Rejected)

CRM (M) 2491 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 Krishnanagar Women Police Station Case no. 37 of 2016 dated 29.02.2016 under Sections 498A/302/34 of the Indian Penal Code, 1860 corresponding to Sections 85/103/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of : Banka @ Baykachand Ghosh.

.....Petitioner.

Mr. Soumya Banerjee
Ms. Suchetga Banerjee

.....for the Petitioner.

Mr. Sandip Chakraborty
Mr. Ratul Ghosh

.....for the State.

Learned advocate appearing for the petitioner submits that petitioner is in custody for two years ten months and was arrested on the basis of execution of warrant of arrest.

Learned advocate for the State submits that the petitioner was absconding for a considerable period of time and in fact, the trial was split up and wife of the petitioner has already convicted. Appeal is pending, as such the records are before the High Court, and consequently, no trial is progressing before the learned trial Court.

So far as the records are concerned that is solely on the direction of the High Court the same is not available to the trial Court.

A photostat copy of the orders be sent back to the learned trial Court, so that at least the charges are framed at the earliest.

Since the petitioner was absconding for a considerable period of time and other co-accused person has been convicted for life imprisonment, I am of the opinion that considering the gravity of the offence it would not be fit and proper to release the petitioner on bail.

Accordingly, the prayer for bail of the petitioner in CRM (M) 2491 of 2025 is **dismissed**.

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.)