

18.02.2026
Serial no. 264
[G.S.D]

CRM (M) 2641 of 2025

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/under Section 483 of the BNSS, 2023 in connection with GR Case No. 85 of 2024 arising out of Samserganj PS case No. 13 of 2024 dt. 10.01.2024 u/s 326/307/34 of the IPC and u/s 25/27 of the Arms Act & u/s 3/4 of the E.S. Act.

-And-

In the matter of : Dalim Sk @ Nabab Siraj @ Nawaj Sharif Sk

... Petitioner(s)

Mr. Milon Mukherjee, Sr Adv.
Mr. Satadru Lahiri
Ms. Benajir Hasna

... for the Petitioner(s)

Ms. Baisali Basu
Ms. Rita Datta

... for the State-respondent(s)

Learned Senior Advocate appearing for the petitioner submits that the petitioner is in custody for more than 242 days and the case was initiated on the basis of an application under section 156(3) of the Cr.P.C.

According to the learned Senior Advocate, two of the accused persons are absconding and one of the accused persons has been arrested, who is in custody.

Learned advocate prays that as there is no possibility of the trial commencing in the near future, on any stringent conditions, the petitioner may be enlarged on bail.

Learned advocate for the State, on the other hand, opposes the prayer for bail and draws the attention of the court to the injury report.

I have taken into account the materials appearing in the case diary.

Having regard to the fact that two of the accused persons are absconding and the present petitioner is in custody, I direct the learned Magistrate *in seisin* of the case to exhaust the process of law preferably within a period of three months from the date of communication of this order; split up the trial and, thereafter, commit the case to the Court of Sessions.

Considering the stage of the case, I am not inclined to enlarge the petitioner on bail at this stage.

Hence, the prayer for bail of the petitioner is **Rejected.**

However, the petitioner will be at liberty to renew his prayer for bail after the stage of consideration of charges is over.

Accordingly, CRM(M) 2641 of 2025 is **dismissed.**

Pending application(s), if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)

