

10.04.2026
Court No.35.
M/L. 106.
Kausik

CRM (DB) 4121 of 2024

In Re: An Application for Cancellation of Bail under Section 439(2) of the Code of Criminal Procedure/Section 483(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

And

In the matter of : State of West Bengal

.....Petitioner.

Mr. Debasish Roy, Ld. PP
Mr. Kunal Ganguly

.....for the State/Petitioner.

Petitioner/State has challenged the order dated 03.09.2024. It has been contended that the reasons assigned for allowing the bail of the accused/opposite party is without any substance and the materials which are still appearing in the case diary is overwhelming. There are electronic evidences in support of the prosecution case and presently the case has been committed to the Court of Sessions and is awaiting consideration of charges.

I have taken into account the order of the learned Sessions Judge while granting bail in its order dated 03.09.2024 and I find that there was complete application of mind.

It would be pertinent to state that even if two views are possible, but the view which has been taken by the learned Sessions Court is a prudent view and lacks perversity, it would

not be in the interest of justice to interfere with the order of bail after such a long lapse of time. However, on an assessment of the overall materials in the case, I find that the case is under Section 103 (1) of the BNS. There are materials available in the case diary, subject to proof before the learned Trial court.

Having considered the same, I direct the learned Trial Court to expedite the process of framing of charges and take steps so that the trial of the case is taken to its logical conclusion within a reasonable period of time.

With the aforesaid observations CRM (DB) 4121 of 2024 is disposed of.

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.)