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22.01.2026
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dismissed

C.R.M. (M) 2914 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 filed in connection with Kaliyaganj Police Station Case No.539 of 2023 dated 24.12.2023 under Sections 302/201/120B of the Indian Penal Code;

Bhramar Sarkar
Versus
The State of West Bengal

Mr. Anish Tiwari.
...for the petitioner.

Mr. Sanjay Banerjee
Ms. Pallavi Priyadarshee.
...for the State.

Mr. Tanmay Biswas
Ms. Antara Mukherjee.
...for the de facto complainant.

Learned advocate appearing for the petitioner submits that similarly placed accused person has already been granted bail in CRM(M)1910 of 2025.

Learned advocate for the State opposes the prayer for bail and submits that the proper picture was not presented out of proposed 25 witnesses, 21 witnesses have already been examined by the prosecution. Prosecution intends to examine 9 more witnesses.

Be that as it may, within a schedule period the evidence of the case has been progressing, substantial evidence has already been recorded and, at this stage, granting of bail will eclipse the

facts of the case with that of the period of detention.

Having considered the manner in which the case is progressing, I am of the view that at this belated stage, it will not be fit and proper to grant bail to the petitioner in spite of his detention for a period of 751 days. Learned trial court would in its usual fairness proceed with the trial of the case.

Accordingly, CRM(M) 2914 of 2025 is dismissed.

Report submitted by the State be kept with the record.

All parties shall act on the server copy of this order duly 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 of all requisite formalities.

(Tirthankar Ghosh, J.)