

25.03.2026
Serial no. 10
[G.S.D]

CRM (M) 15 of 2026

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 Krishnaganj Police Station Case No. 462 of 2024 dated 24.11.2024, u/s 329(3)/117(2)/118(2)/103/3(5) of the BNS, 2023 corresponding to GR Case No. 1550 of 2025.

-And-

In the matter of : Sanjit Biswas @ Khude Biswas

	... Petitioner(s)
Mr. Prabir Majumder	
	... for the Petitioner(s)
Mr. Bibaswan Bhattacharya	
Mr. D. Ghorai	
	... for the State-respondent(s)

Learned advocate for the petitioner submits that the deceased at whose instance the case was registered was injured and succumbed to his injuries. In the statement of the deceased, the vital blow was said to be inflicted by another person.

It is also submitted that the petitioner is in custody for 600 days and till date the case has not been committed to the Court of Sessions.

On the other hand, learned advocate for the State submits a report and contends that one accused person is still absconding. According to the learned advocate, it is only for this reason, the trial is being delayed.

Learned advocate has also drawn the attention of the court to the statement under Section 161 and Section 164 of

the Cr.P.c. of the wife of the deceased, who is also a eye-witness.

However, this issue was earlier dealt by the Division Bench of this Hon'ble Court while considering the bail application of the present petitioner.

Having considered the gravity of the offence, I am not inclined to enlarge the petitioner on bail at this stage.

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

However, I direct that in case the absconding accused is not traceable, the investigating authority or, for that matter, the prosecution would invoke the provision of '*trial in absentia*' and take steps for commitment of the case immediately, preferably within a period of two months from date.

The petitioner would be at liberty to approach this court after the evidence of the eye-witness is complete and the same be completed within a period of six months from the next date fixed.

Accordingly, CRM(M) 15 of 2026 is **dismissed.**

Report submitted by the State be kept with the record.

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.)

