

30.01.2026

Court No.35.

D/L.33.

Rakib

(Rejected)

CRM (M) 2922 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 Kultali Police Station case no. 640 of 2022 dated 11.10.2022 under Sections 302/34 of the Indian Penal Code.

And

In the matter of : Balaram Kayal @ Baloram Kayal @ Boloram Kayal.

.....Petitioner.

Ms. Saba Parween

.....for the Petitioner.

Mr. Arijit Ganguly

Mr. Pratick Bose

.....for the State.

Mr. Soujanya Pattanayak

Mr. Arkaprobho Roy

Mr. Syed Murshid Alam

Mr. Subrata Ghosh

Mr. Shamik Bagchi

Mr. Faradh Malik

.....for the de-facto complainant.

Learned advocate appearing for the petitioner submits that petitioner is similarly situated as other accused person namely, Prodip Kayal @ Pradip Kayal who has been granted bail in CRM (DB) 1107 of 2024. It has also been contended that petitioner is in custody for three years four months.

Learned advocate for the State has submitted memo of evidence.

I have taken into account that only two witnesses till date have been examined. The evidence of Lipika Halder is yet to be completed.

Having regard to the manner in which the trial is progressing, the trial Court also must appreciate that for indefinite period an accused cannot be kept behind the bar. There must be some progress in the trial for Courts to appreciate and satisfy itself regarding the detention of the accused. Learned trial Court is directed that within a period of next three months atleast all the witnesses who have made statement before the Judicial Magistrate be completed.

Petitioner would approach this Court after the aforesaid period is over.

Accordingly, the prayer for bail of the petitioner in CRM (M) 2922 of 2025 is **dismissed**.

Learned advocate for the State would communicate this order to the learned trial Court for taking effective steps in accordance with direction passed above.

Memo of evidence submitted by the State be kept with the record.

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.)