*D/L 18*

15.10.2026
Rohit, A.R.(Ct.)
ct.no.33

**IN THE HIGH COURT AT CALCUTTA**
**CRIMINAL MISCELLANEOUS JURISDICTION**
**APPELLATE SIDE**

**C.R.M (M) 2242 of 2026**

**Abdul Hamid Mondal @ Balai**
**Vs**
**The State of West Bengal & Anr.**

In Re: An Application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 arising out of **Baruipur** Police Station Case No. **1868** of **2022** dated **07.12.2022** under Sections **302/34/120B** of the IPC and under Sections **25/27** of the Arms Act.
And

**In the matter of : Abdul Hamid Mondal @ Balai**
**...Petitioner.**

Mr. Sabyasachi Chatterjee
Mr. B. Karim
Mr. Tirupati Mukherjee
Ms. Smriti Sen
...for the Petitioner

Mr. Sourav Mondal
...for the State

1. The learned Advocate representing the petitioner submitted the petitioner to be in custody from 29.06.2024 on the ground of false implication and seeks for bail since the prosecution failed to proceed with recording of evidence. The learned Advocate representing the petitioner further referred to an order dated 09.12.2025 passed by the Co-ordinate Bench in CRM(M) 1909 of 2025 whereby the Trial Court was directed to conclude the framing of charges and expedite the process of trial. Failing to comply the order of the Co-ordinate Bench of this Court in proceeding with the trial expeditiously though the charges had been framed, the petitioner sough for prayer for bail.

2. The learned Advocate representing the State opposed the prayer for bail referring to incriminating materials on record whereby the active participation of the present petitioner transpired. The seizure lists with regard to recovery of the weapon at the instance of the petitioner while in custody strengthens the inculpatory act even further. The video recording as well as the statement of one of the neighbour and relatives of the deceased victim under Section 164 of Cr.P.C deters the grant of bail.

3. Considering the incriminating materials as perused by this Court on record the prayer for bail is rejected.

4. The learned Advocate for the petitioner is to advise the petitioner to pray for renewal of bail after the vulnerable witnesses along with the seizure list witnesses are examined.

5. The Trial Court is to exercise along with the assistance of the prosecution to ensure the presence of the witnesses before the same on each and every date of hearing and without granting unnecessary adjournments to either of the parties disregarding the cease work of local bar to conclude recording of evidences of the witnesses as aforesaid within four months.

6. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

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

***(Ananya Bandyopadhyay, J.)***