

D/L28
09.04.2026
Bpg.
Dismissed

C.R.M. (M) 2317 of 2025

In Re: An application for bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (previously Section 439 of the Code of Criminal Procedure, 1973 filed in connection with Samserganj Police Station Case No.121 of 2021 dated 26.05.2021 under Sections 489(B)/489(C)/120B of the Indian Penal Code 1860 and Section 15(1)(a)(iiia)/16(1)(b) of Unlawful Activities (Prevention) Act, 1967;

Sandesh Kharwar
Versus
The State of West Bengal

Mr. Moyukh Mukherjee
Ms. Sagnika Banerjee.
...for the petitioner.

Mr. Debasish Roy, Ld.P.P.
Mr. Saryati Datta
Ms. Madhumita Basak.
...for the State.

Petitioner has prayed for bail on the ground that he is in custody for about 4 years 10 months. The subject matter of the case initially related to offences under Sections 489(B)/489(C)/120B of the Indian Penal Code. Subsequently, in course of investigation Sections 15(1)(a)(iiia)/16(1)(b) of Unlawful Activities (Prevention) Act, 1967 has been added. It has been contended on behalf of the petitioner that he is unnecessarily languishing in jail and there has been no progress of the trial of the case, as such, the petitioner may be released on bail.

Learned Public Prosecutor appearing for the State has drawn the attention of the Court to the order-sheets that although the investigation commenced in the year 2021 but in course of

investigation having regard to the quality of counterfeit currency which was seized and the same being more than Rs.1,00,000/- high quality counterfeit currency was recovered, the provisions of Unlawful Activities (Prevention) Act, 1967 were added. The said issue relating to addition of Unlawful Activities (Prevention) Act, 1967 was challenged but was without any successes. Subsequently, bail application was preferred by two of the accused persons which was elaborately dealt with in CRM(DB) 458 of 2024 along with CRR 3324 of 2022. Last of the order-sheet reflects that the trial court till date could not frame the charges because of repeated approach before the higher court, as such, on behalf of the State some time has been prayed for the prosecution to lead its evidence.

Having regard to the gravity of the offence and the fact that earlier the issue canvassed was considered by the Division Bench of this Court, both in the revisional application as well as in the bail application, I am not inclined to release the petitioner on bail.

Accordingly, the prayer for bail of the petitioner in CRM(M)2317 of 2025 is dismissed.

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.)

