

**14.06.2023**

Ct.No. 1  
Item No. 7  
Sb / Saswata  
**DO**

***CIRCUIT BENCH OF CALCUTTA HIGH COURT  
AT JALPAIGURI***

**C.R.M. (DB) 317 of 2023**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Alipurduar PS case no. 74/218 dated 14.02.2018 under Sections 498A/302 of the Indian Penal Code.

And

In the matter of : **Suraj Chhetri**

...petitioner

Mr. Kallol Ghosh  
Mr. Rajkumar Gupta  
Mr. Bhanu Singha Sarkar  
Mr. Kishan Sah  
Mr. Utpal Dutta  
Mr. Rakesh Gupta

...For the petitioner

Mr. Aditi Shankar Chakraborty, Ld. APP  
Mr. Aniruddha Biswas

...For the State

1. Learned Counsel for the petitioner submits that the petitioner is languishing in custody for the last 5 years and 6 out of 10 witnesses have been examined so far.
2. Learned APP submits that the petitioner is accused of a brutal murder and having regard to the substantial progress made in the trial, it would not be proper to release the petitioner on bail at this stage.
3. Considering the materials available in the case diary, involvement of the petitioner in commission of the alleged offence and that the trial is substantially progressed, we dispose of the matter by requesting the Learned Trial

Judge to conclude the evidence of the remaining witnesses within a period of 3 months from the date of communication of this order without granting adjournments to either of the parties unless it is unavoidable.

4. The Learned District PP has assured us that the remaining witnesses shall be produced before the Learned Trial Court as and when they may be directed and shall render all cooperation at the trial.
5. Learned District PP must ensure that the remaining witnesses are present on the date to be fixed by the Learned Trial Court.
6. CRM (DB) 317 of 2023 is **disposed** of.

**(Raja Basu Chowdhury, J.)**

**(Soumen Sen, J.)**