

10.03.2025
Item no.13.
Court No.29.
S. De

CRM (DB) No. 168 of 2025

In Re: An application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

And

In the matter of : Bishal Kumar Verma. ...Petitioner.

Mrs. Jeenia Rudra,
Ms. Sangita Halder, ...for the Petitioner.

Mr. Iqbal Kabir,
Ms. Sreetama Das, ...for the State.

Ms. Suchismita Dutta, ...for the de facto complainant/victim girl.

Dictated by Arijit Banerjee, J.

1. Report filed by the State be kept with the records.
2. We find from the report that this petitioner was previously arrested on September 4, 2017, in connection with Serampore Police Station Case Number 383 of 2017 dated August 3, 2017, under Sections 363/365 of the Indian Penal Code. He was released on bail on September 25, 2017.
3. Therefore, we see that the petitioner allegedly committed the present offence while he was on bail. The witnesses whose statements have been recorded under Section 164 Cr.P.C. (Section 183 of the B.N.S.S.), have implicated this petitioner. The victim girl also squarely implicates this petitioner in her statement recorded under Section 164 Cr.P.C (Section 183 of the B.N.S.S.).

4. Learned advocate for the petitioner says that a similarly circumstanced accused person by the name of Sumon Mondal was granted bail. However, we see that Sumon did not have criminal antecedents and it was recorded in the relevant order that he is not the prime accused.
5. In view of the incriminating material against the petitioner and in view of the fact that he is alleged to have been committed the present offence while on bail, thereby misusing the liberty of bail, we are not inclined to allow the prayer for bail in spite of his long detention in custody. If enlarged on bail, he is likely to commit further offence.
6. CRM (DB) 168 of 2025 is dismissed.
7. Learned State counsel tells us that 6 prosecution witnesses have already been examined. The prosecution intends to examine 6 more witnesses.
8. In view of the period of detention of the petitioner, we direct the learned Trial Court to expedite the trial to the fullest extent possible and conclude the same on an early date, without granting unnecessary adjournments to either of the parties and, if necessary, by fixing frequent schedules of 2/3 dates each for examination of witnesses.
9. Let this order be communicated by the parties to the learned Trial Court.

(Prasenjit Biswas, J.)

(Arijit Banerjee, J.)