

287. 25.02.2025
Court
No.29 (Tanmoy)

Rejected

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION
CRM (DB) 233 of 2025**

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 arising out of Eco Park P.S. Case No.222/2020 dated 05.12.2020.

And

In the matter of: - **SAFIKUL MOLLA**

...petitioner.

Mr. Angshuman Chakraborty
Mr. S.S. Saha

...for the petitioner.

Mr. Soumik Ganguly
Mr. Atanu Ghosh

...for the State.

Dictated by Arijit Banerjee, J.

1. Service report filed by the State in Court today be kept with the records. We see that the *de facto* complainant/victim has received notice of this bail application, however, nobody appears for them.
2. Status report filed by the State be also kept with the records.
3. The petitioner complains of prolonged detention and delay in trial. He says that he is in custody for about four years and three months. In spite of this Court's order dated January 30, 2024, passed in CRM (DB) 252 of 2024, directing the Trial Court to conduct the trial with utmost expedition and conclude the same at an early date, the trial is yet to conclude. He renews his prayer for bail which was last rejected on January 30, 2024.

4. While opposing the prayer for bail, learned State Advocate draws our attention to the depositions of the witnesses examined so far including that of the victim girl. The victim girl squarely implicated the accused persons including the petitioner. The petitioner was identified by the victim girl in Court as well as in the Test Identification (T.I.) Parade. The victim girl was about 15 years of age when she was ravished by the accused persons including this petitioner.
5. We see that there is sufficient incriminating evidence against the petitioner. 25 out of 28 charge-sheet named witnesses have been examined. Hence it cannot be said that there is no progress in the trial. If convicted, the petitioner faces at least 20 years' imprisonment.
6. In view of the aforesaid, we are not inclined to entertain the petitioner's prayer for bail. The prayer for bail is rejected
7. The application being CRM (DB) 233 of 2025 is accordingly dismissed.
8. However, considering the period of detention of the petitioner in judicial custody, we direct the learned Trial Court to expedite the trial to the fullest extent and conclude the same as early as possible without granting unnecessary adjournment to either of the parties and if necessary, by fixing frequent schedules for examination of witnesses.
9. Parties to communicate this order to the learned Trial Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)