

26. 20.03.2025
Court
No.29 (Pritam)
(Rejected)

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 511 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 **Bhadreswar** Police Station Case No.**68/2024** dated **15.02.2024** under Section **6** of the POCSO Act.

And

In the matter of: - **Firoz Alam @ Guddu.**

.....petitioner.

Mr. Bitasok Banerjee

...for the petitioner.

Mr. Soumya Basu Roy Choudhuri

....for the *de-facto*.

Mr. S. S. Imam,
Ms. Poulami Bose

....for the State.

Dictated by Arijit Banerjee, J.

1. Status report filed by the State be taken on record.
2. The petitioner renews his prayer for bail, which was rejected twice earlier on July 3, 2024 and on November 5, 2024.
3. The petitioner says that he is now in custody for more 1 (one) year and 1 (one) month. On the last four dates fixed before the learned trial court, either witness was not present or the Presiding Officer was busy and as such, there was no progress in the trial. There are 32 charge-sheet named witnesses. Not a

single witness has been examined so far. On the ground of delay, he prays for bail.

4. Learned advocates for the State and the *de-facto* complainant tell us that April 8, 2025, has been fixed as the date for recording of evidence. They further point out that on January 24, 2025, CSW-I and CSW-II were present before the learned trial court but the petitioner took time.
5. We have seen the material on record. Prima facie, there is incriminating material against the petitioner. Also, it cannot be said that there is inordinate delay in progress of the trial. Charge was framed in October 24. At least on one date fixed after that, the petitioner took adjournment.
6. In view of the aforesaid and considering that he has suffered rejection of bail prayer on merits twice and also considering that vulnerable witnesses are yet to be examined, we are not inclined to entertain the petitioner's prayer for bail, at this stage.
7. The prayer for bail is, thus, **rejected**.
8. CRM (DB) 511 of 2025 is disposed of.
9. However, considering the period of detention of the petitioner, we request the learned trial court to expedite the trial, if necessary, by fixing frequent schedules for recording of evidence so that the trial can be concluded as early as possible.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)