

23. 24.04.2025
Court
No.34. (Pritam)
(Rejected)

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 791 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 **Thakurpukur** Police Station Case No.**371/2012** dated **07.09.2012** under Sections **302/34/394** of the IPC, 1860.

And

In the matter of: - **Sattar Mondal.**

.....petitioner.

Mr. Sabyasachi Chatterjee,
Mr. Badrul Karim,
Mr. Kiron Sk.

...for the petitioner.

Mr. Joydeep Roy,
Mr. Saptarshi Chakraborty.

....for the State.

The petitioner renews his prayer for bail solely on the touchstone of Article 21 of the Constitution of India.

Learned counsel for the petitioner submits that despite assurance given by the State to examine official witnesses within six months subject to cooperation by defence and other systemic delays, trial is yet to be concluded. The trial court was lying vacant for some time, which cannot be said to be a systemic delay.

Learned counsel for the State opposes the prayer.

Bail prayer of the petitioner was turned down by this court considering the material on record, including the evidence implicating the petitioner.

Learned counsel for the State submits that the prosecution proposes to examine 5 more witnesses which shall be completed within six months from the next date of evidence fixed before the learned trial court, i.e., on June 5, 2025.

Considering the gravity of the offence as well as the earlier rejection of bail, this court is inclined to hold that since the prosecution assures completion of examination of witnesses within a short period, this is not a fit case where the petitioner can be enlarged on bail at this stage.

Accordingly, the prayer for bail is rejected.

Learned trial court is directed to take the proceeding to its logical conclusion in the light of the assurance given by the State, without granting any unnecessary adjournment to either of the parties, in accordance with law.

CRM (DB) 791 of 2025 is disposed of.

Let the case diary be returned.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)