

02.04.2025
Item no.13
Court No.39
srm

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

C.R.M.(DB) 817 of 2025

In Re:- An application under Section 439 of the Code of Criminal Procedure 1973/Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Pathar Pratima Police Station Case No.294 of 2022 dated 07.10.2022 under Sections 376(2)(n)/506 of the Indian Penal Code and Section 6 of the Protection of Children from Sexual Offences Act, 2012 (POCSO);
And

In Re : Soumen Ranjit

.... Petitioner

Mr. Ayan Basu,
Mr. Sandip Kumar Mondal,
Mr. Sumit Routh

...for the Petitioner

Mr. Rudradipta Nandy,
Ms. Sanjana Saha

... for the State

Mr. Shamik Bagchi,
Mr. Noor Islam Sheik,
Mr. Rohan Shaw

...for the *de facto* complainant.

Mr. Ayan Basu, learned Advocate for the petitioner submits that the petitioner is in custody for last two years five month and 25 days. Only four witnesses have been examined out of the 15 charge-sheeted witnesses. Although by order dated 5th February, 2024 direction was issued upon the learned trial court to conclude the trial preferably within a period of one year, but trial has not expedited. The petitioner has renewed his prayer for bail, since the trial has not been concluded within the time specified in the earlier order of this Court. He seeks enlargement of the petitioner on bail.

Mr. Rudradipta Nandy, learned Additional Public Prosecutor submits that the victim in her statement recorded under Section 164 of Cr.P.C. as well as during trial has stated of such commissioning of rape by the petitioner upon her. Four witnesses have already examined including the victim and as per the status report further three months would be necessary to conclude the examination of the prosecution witnesses. He files status report which is taken on record.

Perused the case diary.

It is found that there are allegations against the petitioner of causing rape upon the victim. The victim has also deposed of such rape upon her by the petitioner in her evidence in court. By order dated 5th February, 2024, the trial court was requested to expedite the trial and conclude same at an early date preferably within a period of one year. The status report shows that four witnesses have been examined including the victim and it also mentions that further three months will be necessary to conclude the examination of the prosecution witnesses.

Considering the materials as above and the nature and gravity of the offence, I am not inclined to enlarge the petitioner on bail.

Accordingly, the prayer for bail of the petitioner is rejected.

The application for bail being **CRM (DB) 817 of 2025** stands dismissed.

Urgent Photostat certified copy of the order, if applied for, be given to the parties on compliance of all necessary legal formalities.

(Bivas Pattanayak, J.)