

12.12.2025
Serial no. 9
[G.S.D]

CRM (DB) 1112 of 2025

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure, 1973/under Section 483 of the BNSS, 2023 in connection with **Basanti Police Station Case No. 877 of 2019 dated 20.12.2019 u/s 363/365/370/370A/372/373 of the IPC and Sections 6/17 of the POCSO Act.**

-And-

In the matter of : Kiran Kumar

... Petitioner(s)

Mr. Deepak Prahladka
Ms. Reshmi Khatun

... for the Petitioner(s)

Mr. Partha Pratim Das
Mr. Akash Ganguly

... for the State-respondent(s)

Mr. Debayan Sen
Mr. A. S. Roy
Ms. Sunandya Chakraborty

... for the defacto – complainant(s)

Report submitted by the State in respect of the service being effected upon the defacto- complainant be kept with the record.

Learned advocate for the petitioner submits that the petitioner is in custody for three years and nine month and till date only three witnesses have been examined out of the proposed 28 witnesses. According to the petitioner, the victim has not implicated the petitioner and, as the last witness was examined on February, 2024, there is no possibility of the trial concluding in the near future, as such,

on any stringent condition, the petitioner may be released on bail.

Learned advocate for the defacto-complainant submits that the petitioner is thickly connected with the alleged offence and he may not be granted bail.

Learned advocate for the State has produced the case diary.

I have gone into the deposition of the witnesses, *particularly*, that of the victim and I find that the role of the petitioner has been described as the victim stated in her deposition, consequently, considering the gravity of the offence, I am not inclined to release the petitioner on bail.

Hence, the prayer for bail of the petitioner is **Rejected.**

However, the records of the case reflect that the case is of the year 2019 and is continuing till date. It has been submitted that last of the witnesses was examined on February, 2024.

Accordingly, I direct the Superintendent of Police, Baruipur Police District to monitor the case. The Superintendent of Police, Baruipur Police District will engage at least one Deputy Superintendent of Police and/or Sub-Divisional Police Officer for acting as a Nodal Officer ensuring the presence of the witnesses on the date so fixed by the learned trial court and also taking steps for expediting the

progress of the trial. The learned trial court is also directed not to give any unnecessary adjournment to either of the parties and the trial of the case would continue inspite of any resolution of the local Bar.

It is further directed that at least next 15 witnesses be completed by October, 2026.

Accordingly, CRM(DB) 1112 of 2025 is **dismissed**.

Pending application(s), if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

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

(Tirthankar Ghosh, J.)