

19
02.05.2025
Ct.No.34
b.das
Rejected

C.R.M. (M) 81 of 2025

In Re : An application for bail under Section 483 of BNSS, 2023 filed in connection with Hirapur Police Station Case No.107 of 2023 dated 29.03.2023 under Sections 302/120B of the Indian Penal Code adding Section 404/376D of the Indian Penal Code.

And

In Re : **Samir Maddi** ... Petitioner.

Mr. Ayan Basu
Sk. Salim
Mr. Sumit Routh ... for the petitioner.

Mr. Antarikhya Basu
Ms. Puja Goswami ... for the State.

Affidavit of service filed by the petitioner is taken on record.

None appears for the private opposite party despite service.

Heard learned counsels for the parties.

The petitioner is in custody for more than 2 years and prays for bail.

Learned counsel for the petitioner submits that there is no direct evidence connecting the petitioner to the crime. The DNA profile pertaining to the victim has not matched with the petitioner. Recovery of the body was made from a public place. The mobile phone of the petitioner was found in a place accessible to all.

Opposing the prayer, learned counsel for the State submits that the petitioner was last seen together with the victim soon before her death. The gait pattern of the

petitioner matches with the CCTV footages captured from the place of occurrence. The autopsy surgeon has adduced evidence before the learned trial Court wherein he has opined that one of the injuries found in the person of the deceased was caused due to forcible sexual assault. The pattern of injuries in the external genital region also suggests forcible penetration.

Considering the material on record connecting the petitioner to the alleged offence, prayer for bail is rejected at this stage.

Learned counsel for the State submits that the prosecution proposes to examine 30 witnesses out of whom 23 witnesses have already been examined and 7 more witnesses are left to be examined. It may take another 6-8 months to complete witness action.

The learned trial Court is directed to expedite the trial, without granting any unnecessary adjournment to either of the parties, in accordance with law.

The application for bail is thus disposed of.

Case diary be returned.

All parties shall act on the server copy 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.)