

11.06.2025

Item No.22

Ct.No.34

rc.

C.R.M. (M) 420 of 2025

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure read with Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Baguihati Police Station Case No. 154 of 2021 dated 20.03.2021.

And

In Re : **Harsha Saha**

... Petitioner.

Mr. Phiroz Edulji
Mr. Anand Keshari
Ms. Soumili Choudhury
Ms. Priyanka Bhattacharya
Ms. Pubali Debnath

... for the Petitioner

Mr. Arindam Sen
Mr. Sachit Talukdar

... For the State

Mr. Satadru Lahiri

...for the defacto complainant

The petitioner seeks bail solely on the ground of his prolonged incarceration (four years and three months).

Learned counsel for the State submits that only three more witnesses are left to be examined and such exercise shall be completed within a month from the next date of hearing fixed before the learned trial Court.

Learned counsel for the defacto complainant submits that while in custody, the petitioner intimidated prosecution witness no. 13 who was unable to appear before the learned trial Court to adduce evidence. However his evidence was subsequently recorded upon protection being granted to him.

A general diary was lodged by the witness before the appropriate police station in this regard.

It is a fact that the petitioner is in custody for considerable period of time.

However, considering the nature and gravity of the offence and also since his prayer for bail was turned down by this Court earlier, this Court is of the view that the petitioner does not deserve a favourable order at this stage. Accordingly, prayer for bail of the petitioner is rejected at this stage.

The learned trial Court is directed to expedite the trial and take the same to its logical conclusion in the light of the undertaking given by the learned counsel for the State before this Court.

The bail application is disposed of.

Case Diary is returned.

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

(Suvra Ghosh, J.)