

04.08.2025

Sl. no. 1

Ct. No. 25

P.M.

C.R.M. (M) 484 OF 2025

In Re : An application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 in connection with S.C. Case No. 165 of 2022 arising out of Itahar Police Station Case No. 450 of 2022 dated 13.08.2022 under Section 302/201/34 of the Indian Penal Code.

And

In the matter of : **Sujauddin Ahmed @ Subho.**

.... Petitioner

Mr. Rajdeep Mazumder,
Mr. Karan Bapuli

.... For the petitioner

Mr. Suman De,
Ms. Afreen Begum

... for the State

Mr. Nirupam Dhali

... for the defacto complainant

1. Learned senior counsel for the petitioner submits that after earlier bail application was rejected on 13th February, 2025 the trial has not seen any progress.
2. Learned senior counsel submits that the Court is lying vacant and, therefore, the petitioner for no fault of him, is facing incarceration.
3. The order dated 13th February, 2025 in CRM(DB) 3765 of 2024 noted that the facts are quite grave in nature. The Court rejected the application taking into the gravity of the offence and the involvement of the petitioner.

4. This Court considers that there are no substantial change in the circumstances. However, at the same time, the petitioner is entitled for a speedy trial. Since the Court is lying vacant learned District and sessions Judge, Uttar Dinajpur is directed to assign the case to some other court in session for speedy trial. Copy of the order be also sent to the learned Registrar General for placing it before the Hon'ble Chief Justice for kind consideration and appropriate directions.
5. This application being CRM(M) 484 of 2025 stands dismissed.
6. Urgent photostat certified copy of this order, duly applied for, be given to the parties upon compliance of all usual requisite formalities.

(Dinesh Kumar Sharma, J.)