

01.12.2025

Item No.41

Ct.No.35

dc.

Rejected

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

C.R.M. (R) 52 of 2025

In Re : An Application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Chandipur Police Station Case No. 404 of 2024 dated 29.10.2024 under Section 318(4) of the Bharatiya Nyaya Sanhita, 2023 and charge-sheet submitted under Sections 318(4)/338/317(4)/61(2) of the Bharatiya Nyaya Sanhita, 2023.

And

In Re : **Mojammel Haque**

... Petitioner.

Mr. Ayan Bhattacharjee, Sr. Adv.,
Mr. Kaushik Choudhury

... For the Petitioner.

Mr. Rudradipta Nandy, APP.

... For the State.

Learned senior advocate appearing for the petitioner submits that the petitioner is in custody since 18.11.2024 and even after submission of charge-sheet and framing of charges, prosecution has not shown any endeavour to proceed with the trial of the case. It has also been contended that there is no money trail against the present petitioner and on any stringent conditions, petitioner may be released on bail.

Mr. Nandy, learned advocate appears for the State.

An order-sheet advanced by the petitioner has been handed over to Mr. Nandy, learned advocate for the State.

Prima facie, I find that there are lack of efforts on behalf of the prosecution to progress with the case on the date fixed for trial. Accordingly, prosecution is warned that

at least five vital witnesses must be completely examined by 31.03.2026.

Having considered the stage of the case, I am not inclined to release the petitioner on bail at this stage. As such, the prayer for bail of the petitioner is **rejected**.

No unnecessary adjournment be granted to any of the parties and trial of the case would continue in spite of any resolution of the local Bar.

Petitioner would be at liberty to approach this Court for renewal of his prayer for bail after the time period, stated above, expires.

Registrar General, High Court, Calcutta is directed to communicate this order to the learned Trial Court.

The application for bail, being CRM (R) 52 of 2025, is, thus, disposed of.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

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

(Tirthankar Ghosh, J.)