

**01.12.2025**  
**Serial no. 68**  
[G.S.D]

**CRM (M) 1262 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 **GR Case No. 280 of 2025 arising out of Kaliachawk PS Case No. 71 of 2025 dated 14.01.2025 corresponding to CS No. 547/25 dt. 12.04.2025 u/s 126(2)/117(2)/118(2)/109/103/351(2)/3(5) of the BNS, 2023.**

-And-

**In the matter of : Md. Riyal Hoque @ Rejaul @ Reajul @ Rejal Hoque**

... .. Petitioner(s)

Mr. Sourav Chatterjee, Sr Adv.  
Mr. S. Ghosh  
Mr. Narotam ACharya  
Ms. Swastika Chowdhury  
Mr. Dip Dutta

... for the Petitioner(s)

Mr. Rudradipta Nandy, Id. APP  
Mr. Kustav Banerjee

... for the State-respondent(s)

Md. Wasim Akram

... for the Defacto-complainant

The petitioner has approached this court as he is in custody for 311 days and claims that he has been falsely implicated in connection with the instant case.

Learned advocate for the petitioner submits that the prosecution has relied upon 33 witnesses in order to prove its case but till date charges have not been framed.

Learned advocate for the State submits that date has been fixed for consideration of charges and there are materials appearing against the petitioner.

Learned advocate for the defacto-complainant opposes the prayer for bail.

I have considered the materials on record and, on an assessment of the same, I am of the opinion that at least an opportunity must be given to the prosecution to examine the vulnerable witnesses. To that effect, State will give list of vulnerable witnesses to the learned trial court. The learned trial court would consider whether the witnesses are vulnerable or not, thereafter, allow the public prosecutor to examine those witnesses at the first instance. All efforts be exerted to conclude the vulnerable witnesses decided by the court within a period of five months from date. No unnecessary adjournment be granted to any of the parties and trial of the case would continue inspite of any resolution of the local Bar.

However, the petitioner would, in the fact situation of the case, be at liberty to approach this court for renewal of his bail in the month of May, 2026. At this stage, I am not inclined to enlarge the petitioner on bail.

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

Accordingly, CRM(M) 1262 of 2025 is **dismissed.**

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

The learned Registrar General, High Court Calcutta, is directed to communicate this order to the learned trial court.

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.)**