

01.12.2025

Item No.88

Ct.No.35

dc.

Rejected

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

C.R.M. (M) 1429 of 2025

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Penro Police Station Case No. 120 of 2021 dated 30.10.2021 under Sections 302/201/212/34 of the Indian Penal Code.

And

In Re : **Raju Das**

... Petitioner.

Mr. Sk. Toslim Ali

... For the Petitioner.

Mr. Bibaswan Bhattacharya,
Ms. Sanjida Sultana

... For the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for more than 3 years 10 months and out of 27 witnesses proposed to be examined by the prosecution, till date only six witnesses have been examined. Learned advocate for the petitioner submits that there is no possibility of trial to be concluded in near future. As such, the petitioner, on any stringent conditions, may be released on bail.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and submits that evidence of PW-8 is in progress and all steps are being taken by the prosecution for taking the trial to its logical conclusion. It has also been pointed out that earlier in order dated 16.05.2025 passed in CRM(M) 268 of 2025, the coordinate Bench of this Hon'ble Court was pleased to indicate that the

present petitioner threatened a vital witness for which there has been delay in the trial.

Be that as it may, I direct the learned Trial Court to expedite the process of trial considering that majority of the accused persons are in custody for a long period of time. As a matter of last chance, I direct that within a period of six months, at least ten more witnesses are to be examined by the prosecution.

It is further directed that 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.

In view of the directions passed above, the prayer for bail of the petitioner is **rejected**.

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

The application for bail, being CRM (M) 1429 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.)