

03.12.2025

Item No.M/L. 104

Ct.No.35

dc.

Rejected

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

C.R.M. (M) 1523 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 Domjur Police Station Case No. 628 of 2018 dated 29.08.2018 under Sections 302/201/34 of the Indian Penal Code.

And

In Re : **Sk. Samsuddin**

... Petitioner.

Mr. Sk. Toslim Ali

... For the Petitioner.

Mr. Anand Keshari,
Ms. Srilekha Chattopadhyay

... For the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for more than seven years and till date, out of 30 witnesses, only four witnesses have been examined and last of the witness was examined on 18.09.2021. Learned advocate for the petitioner prays for bail on any stringent condition.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and submits that the petitioner happens to be the principal offender from whom severed organs of the deceased were recovered. It has been submitted that the prosecution proposes to examine 28 witnesses and till date, seven witnesses have already been examined and examination of the 8th witness is in progress.

Learned Trial Court is directed that all efforts be exhausted for completing ten more witnesses by 31.05.2026.

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.

The Deputy Commissioner of Police in-charge of Domjur Police Station would take steps and monitor the progress for ensuring the availability of the witnesses so that the case progresses according to the directions stated above.

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**.

Report submitted by the learned advocate appearing for the State be kept with the record.

The application for bail, being CRM (M) 1523 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.)