

04.12.2025

Item No.6

Ct.No.35

dc.

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (M) 1571 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 Bhutni Police Station Case No. 14 of 2021 dated 06.02.2021 under Sections 447/326/307/302/34 of the Indian Penal Code, 1860.

And

In Re : **Ghanashyam Mandal**

... Petitioner.

Mr. Amitabha Karmakar,
Mr. Arup Kumar Bhowmick

... For the Petitioner.

Mr. Antarikhya Basu,
Mr. Asif Dewan

... For the State.

Mr. Pawan Kumar Gupta,
Ms. Sofia Nesar,
Mr. Santanu Sett

... For the *de facto* complainant.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for about 3 years 10 months and in spite of earlier directions passed in CRM (DB) 1951 of 2024 dated 05.07.2024 to complete the trial within a year from the next date fixed for recording evidence, the prosecution has failed to conclude the prosecution evidence till date.

Learned advocate appearing for the *de facto* complainant has prepared a list of dates which reflect that the trial has become irregular from 29.11.2024 either for

absence of the witness or for absence of the regular Presiding Officer.

Learned advocate appearing for the State submits that the name of the petitioner appears in the evidence of the eyewitnesses, the complicity of the petitioner is overwhelming and previously, the bail of the petitioner was cancelled.

Having considered the totality of the circumstances and the fact that seven witnesses are left to be examined, as a matter of last chance, I direct the learned Trial Court to complete all the prosecution witnesses by 30th April, 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 Additional S.P. in-charge of Bhutni Police Station would monitor and ensure regarding the availability of the witnesses in connection with the instant case.

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

Petitioner would be at liberty to renew his prayer for bail, if the aforesaid time schedule is not adhered to by the prosecution.

Learned advocate appearing for the State will communicate this order to the learned Trial Court as well as the Additional S.P. in-charge of Bhutni Police Station.

The application for bail, being CRM (M) 1571 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.)