

03.11.2025

Court No.35.

M/L. 31.

Kausik

(Rejected)

CRM (M) 1818 of 2025

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Hare Street Police Station Case No. 379 of 2014 dated 28.06.2014 under Sections 392/397 of the Indian Penal Code and under Section 25(1B)(a)/27 of the Arms Act.

And

In the matter of : Sadique Hussain

.....Petitioner.

Mr. Sudip Banerjee

Mr. Swakshar Kumar Mondal

.....for the Petitioner.

Ms. Zareen Khan

Mr. Santanu Talukdar

.....for the State.

Learned advocate appearing for the petitioner submits that he had no intention to evade the process of law, but as he was facing custodial trial in other cases, he could not appear before the Court and subsequently warrant of arrest was issued in connection with the instant case. As a result of which he was shown as an absconder. Subsequently, he was arrested and has been taken in custody. Learned advocate submits that 3(three) witnesses have been examined till date in connection with the instant case.

Learned advocate for the State has submitted the case diary. Case diary reflects that the investigating agency intends to examine 9 (nine) witnesses out of which 3(three) witnesses have been examined and the next date is fixed on 20.11.2025.

Having considered the fact that no documents have been enclosed to prima facie satisfy this Court relating to the factum of the petitioner facing trial in other cases, I am of the view that at this stage, it would not be fit and proper to accept such contention without proper documentation.

Consequently, I direct the Deputy Commissioner of Police in-charge of Anti-Dacoity Section, Detective Department, Lalbazar, to monitor the case and to ensure that the schedule fixed for the witnesses to be examined, before the Trial Court is complied with.

All Steps be taken to conclude the trial within a period of 4 months from the next date so fixed.

Accordingly, with the aforesaid observations CRM(M) 1818 of 2025 is dismissed.

Leave is granted to the petitioner to amend the cause title.

All parties shall act in terms of server copy of the order 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.)