

D/L 59
10.11.2025

Bpg.
Dismissed

C.R.M. (M) 1835 of 2025

In Re: An application forBbail under Section 439 of the Code of Criminal Procedure, 1973 corresponding under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Hare Street Police Station Case No.477 of 2016 dated 31.08.2016 under Sections 364/341 of the Indian Penal Code, 1860 and adding Sections 364/376A/376D/302/201/34 of the Indian Penal Code and charge-sheet submitted under Sections 364/376A/376D/302/201/34 of the Indian Penal Code, 1860 and under Section 4/6 of the Protection of Children from Sexual Offence Act, 2012;

Shankar Shaw @ Shiv Shankar Shaw @ Shib Shankar Shaw
Versus
The State of West Bengal & Anr.

Mr. Sourov Mondal.
...for the petitioner.
Mr. Debasish Roy, Ld. P.P.
Mr. Saibal Bapuli
Mr. Asif Dewan.
...for the State.

Ms. XXXX (Victim) ... (in Person)

Petitioner complains that the petitioner is in custody for 9 years 3 months and out of 59 witnesses proposed to be examined by the prosecution only 28 witnesses have been examined till date.

Mr. Roy, learned Public Prosecutor appearing on behalf of the State submits that State would examine 4 to 5 witnesses more in support of his case.

The examination-in-chief of all these witnesses must be completed by 31st January, 2026. The trial of the case would continue in spite of any resolution of the local bar and is directed that the learned court will not grant unnecessary adjournment to any of the parties.

Learned advocate for the petitioner submits relating two issues of the petitioner being present when the alleged offence was committed.

However, having considered the totality of the circumstances at this belated stage, I am not inclined to accept such prayer considering the nature and gravity of the offence.

Accordingly, CRM (M) 1835 of 2025 is dismissed at this stage.

All 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 of all requisite formalities.

(Tirthankar Ghosh, J.)