

13.11.2025
Court No.35.
D/L. 28.
Kausik

CRM (M) 1864 of 2025

In Re: An Application for bail under section 439 (1)(b) of the Code of Criminal Procedure 1973/section 483 (1) (b) of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Falta Police Station Case No. 275 of 2021 dated 24.09.2021 under Sections 376D(A) of the Indian Penal Code, 1860.

And

In the matter of : Arpan Bhakta

.....Petitioner.

Mr. Soumya Nag
Mr. Aditya Tiwari
Mr. Pronojit Roy
Mr. Partha Pratim Das
.....for the Petitioner.

Mr. Sourav Mukherjee
Ms. Pipasa Chakraborty

...for the defacto complainant.

Mr. Md. Adil Badr, Ld. Jr. Govt. Adv.
Mrs. Sana Naaz

....for the State.

Petitioner claims that another accused who is similarly placed has already been granted bail while the petitioner is in custody for 3 years 6 months.

Learned advocate for the State has produced the case diary and it has been submitted that the evidence of the PW5 is in progress. Records reflect that 16 witnesses have been proposed to be examined by the prosecution out of which 9 witnesses are civilians and the rest of the witnesses are associated with the Government Departments. So far as the first 9 witnesses are concerned, another 60 days time is

granted to the prosecution to complete the same. The outer limit for the said date is fixed on 15.01.2026. If the evidence of rest of the 4 witnesses are not completed by the said time schedule, learned Special Court would release the petitioner on such terms and conditions as he deems fit and proper.

Needless to state that the trial of the case would continue in spite of any resolution of the local bar. No unnecessary adjournment be granted to any of the parties and obviously the aforesaid order would be subjected to co-operation of all the accused persons.

Learned advocate for the defacto-complainant is present.

Pursuant to the earlier direction, the Investigating Officer of the case is present. However, the explanation offered for the statement under Section 164 Cr.P.C. not being in the case diary is not acceptable to this Court.

Having considered the directions so passed, this Court refrains from passing any further directions so far as the Investigating Officer is concerned.

With the aforesaid observations CRM (M) 1864 of 2025 is disposed of.

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.)