

D/L 17
19.11.2025

Bpg.
dismissed

C.R.M. (M) 1880 of 2025

In Re: An application for bail under section 439 of the Code of Criminal Procedure read with section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Regent Park Police Station Case No.142 of 2023 dated 08.05.2023 under Sections 354B/354C/376/506/120B of the Indian Penal Code and under sections 4/8/12 of the Protection of Children from Sexual Offences Act ;

Subhajit Chowdhury @ Subhojit Chowdhury
Versus
The State of West Bengal & Anr.

Mr. Soumya Nag
Ms. Namrata Chatterjee.
...for the petitioner.

Ms. Zareen Khan
Ms. Trisha Rakshit.
...for the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 2 years 6 months and till date only one witness has been examined out of the proposed 18 witnesses, as such, there is no scope of the trial being concluded and on any stringent conditions the petitioner may be released on bail.

On the other hand, learned advocate appearing for the State submits that all efforts are being exerted by the prosecution but for systematic delay, the prosecution cannot progress. The scope of the Act itself speaks relating to the purpose of the enactment. State must understand that for infinite period an accused cannot be detained behind the bar.

As a matter of last chance, State is granted an

opportunity for a period of three months from the next date so fixed for completing the witnesses. No unnecessary adjournment be granted to any of the parties. The trial of the case would continue in spite of any resolution of the local bar.

Accordingly, CRM(M) 1880 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.)