

15.12.2025
Court No.35.
D/L. 15.
Rakib
(rejected)

CRM (M) 1904 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 Namkhana Police Station case no. 44/2024 dated 24.03.2024 under Sections 498A/406/304B/302/34 of the Indian Penal Code at present under Sections 85/316(2)/80/103(1)/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of : Kuntal Acharya

.....Petitioner.

Mr. Asraf Mondal
Mr. Gobinda Chandra Baidya
Mr. Provash Mondal
.....for the Petitioner.

Mr. Saibal Bapuli, Ld. APP
Ms. Jonaki Saha
.....for the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody since 24th of March, 2024 and there is no possibility of the trial progressing because of the Court lying vacant. Prosecution has relied upon 16 witnesses and there has been part examination of only one witness.

Learned advocate for the State opposes the prayer for bail, draws the attention of the Court to the post-mortem examination along with the statement of the witnesses.

On an assessment of the materials placed before this Court, I find that petitioner allegedly is the principal accused being the husband of the deceased who has been accused of manually strangulating the victim/deceased.

Having regard to the materials appearing in the Case Diary, prima facie, I am of the opinion that the prosecution must be granted some opportunity to examine the vulnerable witnesses. Prosecution is directed to conclude the vulnerable witnesses within the next six months.

Petitioner would renew his prayer for bail after the aforesaid period is over.

At this stage CRM (M) 1904 of 2025 is **dismissed**.

Case Diary be returned to the learned advocate appearing for the State.

Learned Registrar General, High Court, Calcutta will communicate this order through the learned District Judge, South 24 Parganas to the learned Trial Court concerned.

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.)