

09.12.2025

Court No.35.

M/L. 161.

Kausik

CRM (M) 1900 of 2025

In Re: An Application for Bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023/ Section 439 of the Code of
Criminal Procedure, 1973 in connection with Nandakumar Police
Station Case No. 352 of 2022 under Sections 302/201/120B/34
of the Indian Penal Code;

And

In the matter of : Prasenjit Samanta

.....Petitioner.

Mr. Navanil De
Mr. Subhrajit Dey
Ms. Monami Mukherjee
.....for the Petitioner.

Mr. P.K. Datta, APP
Mr. Santanu Deb Roy
.....for the State.

Learned advocate appearing for the petitioner claims
parity on the ground that the petitioner is similarly situated as
the other accused who has been granted bail in CRM (M) 584 of
2025.

Learned advocate for the State opposes the prayer for
bail and submits that the petitioner is the principal accused
who was the paramour and committed the alleged offence. The
earlier bail was granted for non-examination of the prosecution
witnesses and the Court felt there was no possibility of the trial
being concluded.

More than 6 months have passed since then, but there
has been no progress in the trial of the case. Last of the order

sheet enclosed is of September, 2025 which reflects that the witnesses are not turning up.

The Superintendent of Police, Purba Medinipur will monitor the present case, engage an Officer in the rank of Deputy Superintendent of Police/SDPO who will ensure regarding the availability of the witnesses on the date fixed by the Court. At least 10 witnesses must be examined within the next 6 months preferably by 31.05.2026.

At this stage, the prayer for bail of the petitioner in CRM (M) 1900 of 2025 is rejected.

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

Registrar General, High Court, Calcutta will communicate this order to the Superintendent of Police Purba Medinipur.

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.)