

14.11.2025
Court No.35.
D/L. 17.
Rakib
(rejected)

CRM (M) 1935 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 Jetia Police Station Case No. 14 of 2023 dated 26.01.2023 under Sections 302/201 of the Indian Penal Code.

And

In the matter of : Suman Saha

.....Petitioner.

Mr. Subhrojit Chowdhury
.....for the Petitioner.
Ms. Zareen Nasema Khan
Mr. Manoranjan Mahata
.....for the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for two years ten months but there has been no progress in the case. It has also been emphasized that the delay in the trial is because of the prosecution, and the accused has been diligent in pursuing the trial. Learned advocate for the petitioner submits that having regard to the time period for which the petitioner is in custody, he should be released on bail as per no fault, he is unnecessarily languishing in jail.

Learned advocate appearing for the State has produced the Case Diary as also the report which has been submitted. However, the same are on the merits of the case regarding the complicity of the present petitioner which is being tested in course of recording of evidence.

As a matter of last chance the prosecution is granted six months time to proceed with the case, so that substantial number of witnesses are examined in the next three months. It would be the duty of the learned trial Court as also the prosecutor to ensure regarding the progress of the case. As a last opportunity has been granted to the prosecution, the bail of the present petitioner is rejected at this stage.

Accordingly, CRM (M) 1935 of 2025 is rejected.

Report so submitted by the State be kept with the record.

Copy of the order be sent through the learned advocate appearing for the State to both the learned Public Prosecutor appearing in the Court below as well as the learned trial Court.

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.)