

04.11.2025

Item No.11

Ct.No.35

dc.

Rejected

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

C.R.M. (M) 1931 of 2025

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure, 1973 read with Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Lake Town Police Station Case No. 143 of 2023 dated 13.07.2023 under Sections 302/120B/34 of the Indian Penal Code read with Sections 25/27 of the Arms Act.

And

In Re : **Tamal Paul @ Rahul Paul and another**

... Petitioners.

Mr. Debasis Kar,
Ms. Suhana Parvin,
Ms. Paramita Mitra Mukhopadhyay

... For the Petitioners.

Mr. Saibal Bapuli, APP,
Ms. Jonaki Saha

... For the State.

The bail application of the petitioner no.2 was earlier rejected by the Division Bench as also by Coordinate Bench. It has been submitted that the petitioners are in custody for about 2 years 3 months. Till date, only one witness has been completely examined and the list of dates submitted by the learned advocate appearing for the State reflects that no steps are being taken by the public prosecutor since 14.08.2025, although I find that on certain occasions, witnesses were present.

The Commissioner of Police, Bidhannagar Police Commissionerate is directed to engage a Nodal Officer, to communicate with the office of the Legal Remembrancer and send necessary instructions to the office of the Legal Remembrancer so that steps are taken before the learned

Trial Court by the prosecution taking into account that there were earlier directions to conclude the trial within a schedule period of time by the Hon'ble Division Bench.

It is also reflected from the charge-sheet that 35 witnesses are to be examined in this case and only one witness has been examined till date.

The learned Trial Court in seisin of the case will take steps against the prosecution, if the witnesses are not produced and the examination-in-chief of 15 witnesses at least is concluded by 31.03.2026.

It is reiterated that the Commissioner of Police, Bidhannagar Police Commissionerate will engage a Nodal Officer at least in the rank of Assistant Commissioner of Police, who will monitor the day-to-day progress or the schedule to schedule progress of the instant case.

Petitioners would be at liberty to approach this Court with fresh prayer of bail in case for fault of the prosecution, 15 witnesses are not examined by 31.03.2026.

Having considered the merits of the case, I am not inclined to release the petitioners on bail at this stage. As such, the prayer for bail of the petitioners is **rejected**.

List of dates submitted by the learned advocate appearing for the State be kept with the record.

The application for bail, being CRM (M) 1931 of 2025, is, thus, disposed of.

All concerned 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 with all requisite formalities.

(Tirthankar Ghosh, J.)