

09.12.2025

Item No.171

Ct.No.35

dc.

Rejected

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

C.R.M. (M) 1955 of 2025

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Dholahat Police Station Case No. 411 of 2021 dated 17.10.2021 under Sections 367/368/370/354B/372/373/376 of the Indian Penal Code read with Sections 6/8 of the Protection of Children from Sexual Offences Act, 2012.

And

In Re : **Nur Alam Khan and another**

... Petitioners.

Mr. Soubhik Mitter,
Mr. Sandip Dinda

... For the Petitioners.

Mr. Saibal Bapuli, APP,
Mr. Atanu Ghosh

... For the State.

Learned advocate appearing for the petitioners submits that the petitioners are in custody for four years and in spite of earlier directions of this Court, the trial could not be completed. Petitioners are innocent of the charges and are similarly placed as another accused who has been granted bail. As such, on any stringent condition petitioners may be released on bail

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and submits that the present petitioners were identified by the victim girl in T.I. Parade. The delay in the trial was because of reasons beyond control of the prosecution as two of the accused persons who were absconding were subsequently arrested and some of

the witnesses have to be recalled causing delay in the progress of the trial.

I have taken into account the prosecution case as a whole, the manner in which the trial is progressing and the fact that only seven witnesses have been examined out of the proposed 25 witnesses. Having considered the same, I direct that the State would take endeavour to conclude the evidence of all the victims at the earliest preferably within a period of three months.

At this stage, the prayer for bail of the petitioners is **rejected**.

Petitioners will renew their prayer for bail after 31.03.2026.

The application for bail, being CRM (M) 1955 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.)