

04.11.2025

Item No.39

Ct.No.35

dc.

Rejected

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

C.R.M. (M) 2196 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 Swarup Nagar Police Station Case No. 435 of 2018 dated 23.08.2018 and corresponding charge-sheet bearing no.64 of 2019 dated 18.02.2019 filed under Sections 363/365/325/326/307/364A/120B of the Indian Penal Code.

And

In Re : **Tuhin Sardar @ Tuhin Rahaman Sardar**

... Petitioner.

Mr. Manas Das,
Mr. Prasad Bhattacharyya,
Ms. Shravani Ghosh

... For the Petitioner.

Ms. Faria Hossain,
Mr. Sujan Chatterjee

... For the State.

Learned advocate appearing for the petitioner submits that the petitioner surrendered on September 2023 and since then, he is in custody. It has also been contended that out of 9 witnesses cited by the prosecution, till date partially only 3 witnesses have been examined.

Learned advocate appearing for the State submits that the petitioner was absconding for a considerable period of time and earlier the prayer for bail of the present petitioner has been rejected.

In view of the trial having commenced in 2019 and there has been a systematic delay, I direct the Superintendent of Police, Basirhat Police District to engage a

Nodal Officer who would ensure that examination of all the nine witnesses so cited by the prosecution is concluded by 30.04.2026.

Learned Trial Court would fix schedule in consonance with the requirement of the case. The trial of the case would continue irrespective of any resolution of the local Bar.

Petitioner and other accused persons are directed to cooperate with the learned Trial Court for progress of the trial.

In spite of all efforts, if the evidence of the witnesses is not concluded, the learned Trial Court would leniently consider the prayer for bail of the petitioner after 30.04.2026.

Learned advocate appearing for the State is directed to communicate this order to the office of the Superintendent of Police, Basirhat Police District, the Public Prosecutor conducting the trial of the instant case as also a copy of the order be immediately sent to the learned Trial Court.

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

The application for bail, being CRM (M) 2196 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.)