

06.11.2025
SL No. 18
Court No.35
Rohan
(Rejected)

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

C.R.M.(M) 2203 of 2025

In Re: An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Narkeldanga Police Station Case No. 14 of 2025 dated 18.01.2025 for the offences punishable under Sections 61(2)/310(2)/311 of the Bharatiya Nyaya Sanhita, 2023.

-And-

In the matter of: Irfan Khan

...Petitioner

Mr. Imtiaz Akhtar,
Ms. Mehelee Chattopadhyay.

...for the Petitioner

Mr. Anasuya Sinha, Ld. APP,
Mr. Ashok Das

...for the State

1. Learned advocate for the petitioner submits that the petitioner is in custody for about 290 days and although charges have been framed, there has been no progress in the case. According to the petitioner, other similarly placed accused persons have already been granted bail in connection with the instant case and there is hardly any reason for further detention of the present petitioner.
2. Learned advocate for the State opposes the prayer for bail and submits that evidence of one of the witness is over. However, there are 6 (six) vulnerable witnesses who are to be examined. It has been specified that the following witnesses are vital for the prosecution:

- i. C.S.W. 3 – Iftekhori Ahmed Khan
- ii. C.S.W. 24 – Md. Sajid
- iii. C.S.W. 25 – Md. Saddam Hussain
- iv. C.S.W. 26 Biswajit Ghosh
- v. C.S.W. 64 – Arshad Amim
- vi. C.S.W. 65 – Md. Azad.

3. Having considered the nature and gravity of the offence, I am of the view that without completion of examination of the vulnerable witnesses, at this stage, it would not be proper to release the petitioner on bail having regard to the materials so collected by the Investigating Officer.
4. As such, the prayer for bail of the petitioner is **rejected** at this stage.
5. However, the learned Trial Court is directed to ensure that the 6 (six) vulnerable witnesses named above before this Court be examined by 15th March, 2026.
6. The petitioner and other accused persons are directed to cooperate with the learned Trial Court. It is further directed that the evidence of this case would continue irrespective of any resolution being taken by the local Bar. In case the petitioner cooperates and irrespective of that, the examination of the aforesaid witnesses are not over, the petitioner would approach this Court with fresh prayer for bail.
7. Accordingly, **CRM (M) 2203 of 2025** is **dismissed**.

8. All parties shall act in terms of the server copy of the order downloaded from the official website of this Court.
9. Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)