

10.03.2025
Item no.16.
Court No.29.
S. De

CRM (DB) No. 237 of 2025

In Re: An application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

And

In the matter of : Najrul Molla. ...Petitioner.

Mr. Ayan Basu,
Mr. Sandip Kr. Mondal,
Mr. Sumit Routh, ...for the Petitioner.

Mr. Debabrata Chatterjee,
Mr. Subham Bhagat, ...for the State.

Dictated by Prasenjit Biswas, J.

1. Learned advocate for the petitioner says that this petitioner is in custody since June 24, 2024. Charge has been framed by the Trial Court but there is no progress in the trial. All the allegations as leveled against this petitioner are concocted, false and fabricated. It is said that there are inconsistencies in respect of the statements of the victim. No fruitful purpose would be served by keeping the petitioner behind the bar for sake of custodial interrogation.
2. Learned advocate for the State raises objection. He says that there are sufficient incriminating materials against this petitioner which show about prima facie involvement of this petitioner with the alleged offence. Our attention is drawn to the statement of the victim recorded under Section 164 Cr.P.C. (Section 183 of the BNSS).

3. Perused the materials on record. We have gone through the statement of the victim girl recorded by the Magistrate which indicates about prima facie involvement of this accused petitioner in the alleged crime. Offence involved in this case is serious in nature. Keeping in mind the complicity of this accused petitioner with the alleged offence we are not inclined to enlarge the accused petitioner on bail.
4. CRM (DB) 237 of 2025 is dismissed.
5. However, considering that the petitioner is in custody for quite some time, we direct the learned Trial Court to expedite the trial to the fullest extent possible and conclude the same on an early date without granting unnecessary adjournments to either of the parties and, if necessary, by fixing frequent schedules of 2/3 date each for examination of witnesses and also by preponing the next date.
6. Let this order be communicated by the parties to the learned Trial Court.

(Prasenjit Biswas, J.)

(Arijit Banerjee, J.)