

CRM (DB) 25 of 2025

In re: An application for bail under Section 439 of the Code of Criminal Procedure/Section 483 of the BNSS in connection with **Kaliganj Police Station** Case No. **791 of 2022** dated **13.12.2022** under Sections **498A/302/34** of the Indian Penal Code.

- A n d -

In the matter of : Samir Sekh @ Sk.

.... Petitioner.

Mr. Asraf Mondal,
Mr. T. Mondal,

... For the Petitioner.

Ms. Z. N. Khan,
Mr. Rajes Jana,

... for the State.

Dictated by Apurba Sinha Ray, J:-

1. Learned Advocate for the petitioner submits that the petitioner is in custody for 312 days. Investigation is complete. He has been falsely implicated in this case. Other two accused persons have been granted bail. As the investigation is complete and there is no chance of an early conclusion of the trial, he may be enlarged on bail on any condition.

2. Learned State Advocate opposes the bail prayer. She submits that there are sufficient incriminating materials including the statements of the witnesses recorded under Sections 161 and 164 of the Criminal Procedure Code showing that the petitioner was actively involved in torturing the victim. The victim lady died due to manual strangulation as per the report of the post mortem conducted on the body of the victim.

3. We have considered the materials on record. We find that there are several witnesses who clearly stated that the petitioner

had participated in the commission of the alleged offence and further the post mortem report shows that the death was due to strangulation and homicidal in nature.

4. Considering the materials on record and also the period of detention, we are not inclined to enlarge the petitioner on bail at this stage.

5. CRM (DB) 25 of 2025 is, thus, dismissed.

6. However, considering the period of detention of the petitioner, 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 for examination of witnesses.

7. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)