

11.06.2025
Item no. 20.
Court No.2.
Kausik

**Calcutta High Court
In the Circuit Bench at Jalpaiguri**

CRM (DB) 177 of 2025

In Re: An Application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023/ Under Section 439 of the Code of Criminal Procedure, 1973 in connection with Naxalbari Police Station Case No. 37 of 2022 dated 09.02.2022 under sections 302/201 of the Indian Penal Code, 1860, and adding section 376/201/120B/109/34 of the Indian Penal Code, 1860 and adding section 6 of the Protection of Children from Sexual Offences Act, 2012.

And

In the matter of : Adhir Ghosh

.....Petitioner.

Mr. Hillol Saha Podder

.....for the Petitioner.

Mr. Aditi Shankar Chakraborty, Ld. APP
Mr. Subhasish Misra

....for the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 3 years and 4 months and the prosecution till date has examined only 5(five) witnesses out of the 13(thirteen) witnesses cited and subsequently the prosecution has also prayed for addition of 20(Twenty) witnesses to establish its case.

Learned advocate submits that there is no possibility of the trial being completed in near future going

by the pace in which the prosecution is tendering its witnesses.

Learned advocate for the State produces the case diary and draws the attention of the Court to the gravity of the offence and the heinous manner in which the offence was committed as well as the accused persons in conspiracy trying to dump the body of the deceased.

Having considered the totality of the circumstances, as a matter of last chance, three months time is granted to the prosecution to produce all its witnesses before the learned trial court.

The Superintendent of Police, Darjeeling Police District will engage an Officer in the rank of Additional SP/SDPO as a Nodal Officer of the case who would ensure regarding the production of the witnesses on the date so fixed. It is also directed that in spite of any resolution taken by the Bar, the trial of the case would continue and the learned Trial Court will not grant any accommodation either to the prosecution or to the defence.

Petitioner is granted liberty to approach this Court after the period of 3 months are over.

At this stage the prayer for bail of the petitioner in CRM (DB) 177/2025 is dismissed.

The Registrar, High Court at Calcutta, Circuit Bench at Jalpaiguri is directed to communicate this order to the Superintendent of Police, Darjeeling. The learned

advocate for the State would also communicate this order to the Superintendent of Police, Darjeeling.

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

(Tirthankar Ghosh, J.)