

16.02.2026

Item No.32

Ct.No.35

dc.

Rejected

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

C.R.M. (M) 239 of 2026

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure, 1973 read with Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with STF Police Station Case No. 23 of 2022 dated 03.08.2022 under Sections 120B/489B/489C of the Indian Penal Code, 1860 and charge-sheet submitted under Sections 120B/489B/489C of the Indian Penal Code, 1860 and under Sections 16/17/18 of the Unlawful Activities (Prevention) Act.

And

In Re : **Rafikul @ Kallu @ Kalu**

... Petitioner.

Mr. Satadru Lahiri,
Ms. Benajir Hasna,
Mr. Aliul Islam,
Mr. Sadid Haider

... For the Petitioner.

Mr. Prasun Kumar Dutta, APP,
Mr. Sujan Chatterjee

... For the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 3 years 6 months 10 days and in spite of direction of the Hon'ble Supreme Court, there has hardly been any progress in the case.

I have taken into account the post series of events after the Hon'ble Supreme Court passed the direction. I find that PW-1 was cross-examined for about 11 months. Having taken the same into consideration, it was not possible for the learned Trial Court or the prosecution to conclude the trial within a year. The cross-examination of other two witnesses has been completed.

Learned advocate appearing for the State submits that presently three more witnesses are left to be examined and all of them are the Investigating Officers of the case.

Having considered the same, I am of the view that once a witness is on dock, the Trial Court would ensure that the evidence continues considering the gravity of the offence and thereafter fix a date for the other witness concerned. The evidence of the prosecution witnesses be concluded within a period of six months. No unnecessary adjournment be granted to any of the parties and trial of the case would continue in spite of any resolution of the local Bar.

At this stage, I am not inclined to release the petitioner on bail. As such, the prayer for bail of the petitioner is **rejected**.

Report submitted by the learned advocate appearing for the State be kept with the record.

The application for bail, being CRM (M) 239 of 2026, 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.)