

30.03.2026

Item No.76

Ct.No.35

dc.

Rejected

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

C.R.M. (M) 489 of 2026

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Barasat Police Station Case No. 276 of 2024 dated 09.05.2024 under Sections 376AB/302/120B of the Indian Penal Code and Section 6 of the Protection of Children from Sexual Offences Act, 2012.

And

In Re : **Abdur Razzak @ Dr. Abdul Razzak Mondal**

... Petitioner.

Mr. Phiroze Edulji, Sr. Adv.,
Mr. Koushik Kundu,
Ms. Samira Grewal,
Ms. Priyanka Bhattacharya

... For the Petitioner.

Mr. Debasish Roy, Ld. PP,
Mr. Saryati Datta

... For the State.

Mr. Apan Saha,
Mr. Tasnim Ahmed

... For the *de facto* complainant.

Learned senior advocate appearing for the petitioner submits that the petitioner is in custody for about 1 year 10 months and only ten witnesses have been examined out of 39 witnesses having been cited in the charge-sheet. It has also been canvassed that one of the witnesses who is vital has in her cross-examination deposed against another who exonerates the present petitioner. Petitioner prays for bail on any stringent condition.

Learned Public Prosecutor appearing for the State, on the other hand, opposes the prayer for bail and submits a written instructions wherein it has been stated that the

prosecution intends to examine ten more witnesses in support of its case.

Learned advocate appearing for the *de facto* complainant also opposes the prayer for bail.

Having considered the fact that the petitioner is in custody for substantial period of time, I direct the learned Trial Court to conclude the evidence of ten prosecution witnesses within a period of six months from the next date so fixed. Learned Trial Court to that extent would fix as many schedules as it deems fit and proper.

Having regard to the trial being in progress and the evidence of the case being very delicate and sensitive in nature which may be jeopardize because of change of circumstances, I am not inclined to release the petitioner on bail at this stage. As such, the prayer for bail of the petitioner is **rejected**.

Written instructions submitted by the learned Public Prosecutor be kept with the record.

The application for bail, being CRM (M) 489 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.)