

21.05.2026

Item No.10

Ct.No.35

dc.

Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (M) 1104 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 Haridevpur Police Station Case No. 96 of 2016 dated 22.02.2016 under Sections 364A/377/302/201 of the Indian Penal Code and Section 6 of the Protection of Children from Sexual Offences Act.

And

In Re : **Subhasish Das**

... Petitioner.

Mr. Deepak Kumar Prahladka,
Ms. Reshmi Khatun

... For the Petitioner.

Ms. Arushi Rathore

... For the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 10 years 4 months and till date, out of 38 witnesses cited by the prosecution, only 11 witnesses have been examined. On the grounds of delay, the petitioner prays for bail.

Ms. Rathore, learned advocate appearing for the State, on the other hand, opposes the prayer for bail and submits that prosecution has decided to reduce the number of witnesses. A report has also been submitted on behalf of the State. Let the same be kept with the record.

The said report do not reflect that there are any criminal antecedents so far as the present petitioner is concerned. As such, without entering into the merits of the case, but only with regard to the period of custody of 10 years 4 months already suffered by the present petitioner, I

am inclined to release the petitioner on bail. As such, the prayer for bail of the petitioner is **allowed**.

Accordingly, the petitioner viz., **Subhasish Das** shall be released on bail upon furnishing bond of Rs.20,000/-, with two sureties of Rs.10,000/- each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Alipore.

If on bail, the petitioner shall be physically present on each and every date so fixed by the learned Special Court/Trial Court and shall not enter the jurisdiction of Haridevpur Police Station as examination of number of vulnerable witnesses are till left as submitted by the learned advocate for the State.

The petitioner shall also once in a fortnight meet with the Investigating Officer of the case who is presently posted at Homicide Section, Detective Department, Lalbazar, Kolkata. Such condition would continue for a period of six months and it would be the discretion of the learned Special Court/Trial Court either to extend the condition or waive the condition.

Learned Trial Court would fix two schedules in a month so that trial of the case can be taken to its logical conclusion at least within 31st December, 2026.

The application for bail, being CRM (M) 1104 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.)