12.11.2026
Court No.35.
D/L. 99
Kausik
(Rejected)

CRM (M) 2619 of 2026

In Re: An Application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023/ Section 439 of the Code of Criminal Procedure, 1973 in connection with Itahar Police Station Case No. 85 of 2023 dated 15.03.2023 under Section 302 of the Indian Penal Code.

And

In the matter of : Lakhan Mardi @ Laxman Mardi @ Lakhsman Mardi

.....Petitioner.

Mr. Sayantan Hazra
Mr. Emrul Kayes

.....for the Petitioner.

Mr. Uttam Basak
Ms. Sreshtha Ghosh

....for the State.

Learned advocate appearing for the petitioner submits that petitioner is in custody for more than 3 and half years. Only 6 witnesses have been examined out of 19 witnesses cited by the prosecution and the last of the witnesses is examined almost a year ago.

Learned advocate for the State has produced the case diary.

I have taken into account the factum of the case wherein the foundation is that the petitioner being the son

assaulted the mother with a sharp weapon which resulted in her death.

I have also taken into account the post-mortem report which reflects the injury suffered by the deceased mother. Having considered the overall circumstances of the case, considering the heinousness of the offence, I am not inclined to release the petitioner on bail. However, the case presently is progressing very slowly. Accordingly, the Superintendent of Police, Uttar Dinajpur is directed to engage a nodal officer to take steps so that the evidence of all the witnesses are completed within a period of 6 months from the next date fixed.

Learned Trial Court would ensure that if a witness appears in Court, the examination and cross-examination is continuously recorded and all efforts be exerted to conclude the evidence of such witnesses in course of a day.

No unnecessary adjournment be granted to any of the parties and the trial of the case would continue in spite of any resolution of the local bar.

Petitioner would be at liberty to approach this Court after the aforesaid time period is over.

With the aforesaid observations, the prayer for bail is rejected at this stage.

Thus, CRM (M) 2619 of 2026 is **dismissed**.

Registrar General, High Court, Calcutta is directed to communicate this order to the Superintendent of Police, Uttar Dinajpur.

Status report submitted by the petitioner be kept with the record.

All parties shall act in terms of server copy of the order 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.)