

M/L284
19.02.2026
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dismissed

C.R.M. (M) 2680 of 2025

In Re: An application for Bail under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 corresponding under Section 439 of the Code of Criminal Procedure, 1973 filed in connection with Kaliyaganj Police Station Case No.156 of 2023 dated 21.04.2023 subsequently charges framed under Section 302 of the Indian Penal Code, read with Section 4 of the POCSO Act and Section 3(1)(s)(u) of the SCST (Prevention of Atrocities Act) and Section 302 read with Section 120B of the Indian Penal Code ;

Zabed Akhtar
Versus
The State of West Bengal & Anr.

Mr. Subir Banerjee
Mr. Sandip Bandyopadhyay
Ms. Ruxmini Basu Roy.
...for the petitioner.

Mr. Debasish Roy, Ld. P.P.
Mr. Sanjay Banerjee
Mr. Sharequl Haque.
...for the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 2 years 10 months and there was a relationship which did not materialise for several reasons consequent to which there was a mutual understanding between the petitioner and the deceased which are elaborated and are subject matter of facts of the present case. It has also been submitted that there is a delay in the trial. Only 6 witnesses out of the cited 30 witnesses have been examined till date, as such, petitioner may be released on bail on any stringent conditions.

Learned Public Prosecutor appearing for the State has opposed the prayer for bail and drawn the attention of the Court to

the facts of the case.

I have also taken into account the postmortem report furnished by the State along with the accompanying statement of the individual witnesses.

Having considered the totality of the circumstances and the gravity and severity involved in the present case, I am of the view that this is not a fit case for granting bail. As such, the prayer for bail of the petitioner is rejected.

State is directed to expedite the process of trial by fixing a schedule of three dates in a month. Efforts be taken to conclude the trial by 31st December, 2026.

Report submitted by the State be kept with the record.

Accordingly, CRM (M)2680 of 2025 is dismissed.

All 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 of all requisite formalities.

(Tirthankar Ghosh, J.)