

02.01.2026

Court No.35.

D/L. 20.

Kausik

CRM (M) 2660 of 2025

In Re: An Application for bail under Section 439 of the Code of Criminal Procedure, 1973/under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Kolkata Leather Complex P.S. Case No. 109 of 2021 dated 15.10.2021 under Sections 302/201/34 of the Indian Penal Code.

And

In the matter of : Saidul Sk @ Chottu @ Saidul Sekh

.....Petitioner.

Mr. Neil Basu
Mr. Sankha Biswas
Mr. Akash Ghosh
Ms. Oindrilla Sarkar
Ms. Avidipta Pal

.....for the Petitioner.

Mr. Sofiul Islam Mondal

....for the Defacto Complainant.

Mr. Antarikhya Basu
Mr. Aritra Bhattacharya

.....for the State.

The Legal Remembrancer/Judicial Secretary,
Government of West Bengal is directed to see the report of the
Investigating Officer of Kolkata Leather Complex Police Station
Case No. 109 of 2021.

According to the learned Advocate appearing for the
petitioner for 4 year and 2 months the accused is in custody
and only one witness (in part) has been examined out of the 39
witnesses cited by the prosecution.

The Investigating Officer's report reflect dissatisfaction regarding the public prosecutor conducting the trial of the case.

Learned advocate appearing for the defacto-complainant has also expressed his dissatisfaction before this Court regarding the public prosecutor who is not interested to progress with the trial.

Having considered the report of the Investigating Officer, steps be taken by the LR/Judicial Secretary, Government of West Bengal to change the public prosecutor of the case and engage a responsible public prosecutor for conducting the present case. It would not be out of place to state that for indefinite period, an accused cannot be kept in custody, as such a compliance report be submitted immediately by the LR/Judicial Secretary responsible for altering/replacing the public prosecutor of the case.

List the bail matter under the heading 'To Be Mentioned' on 20.01.2026.

Report be submitted by the State on the date so fixed.

The server copy of this order be communicated to the Office of the LR as well as the Judicial Secretary through the learned advocate appearing on behalf of the State.

Report submitted by the State 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.)