

25  
(Ct. No. 29)  
07.05.2026  
(Susanta)

**CRR 5454 of 2025**  
**Raj Kumar Chandra**  
**Vs.**  
**The State of West Bengal**

Mr. Debajyoti Deb,  
Ms. Somdyuti Parekh,  
Mr. H. K. Jha,

...for the petitioner.

The petitioner herein is aggrieved by the order dated 11<sup>th</sup> November, 2025 by which the Court below had rejected the petitioner's prayer under Section 311 of Cr.P.C, thereby fixing the next date for examination of the accused persons under Section 313 of the Cr. PC.

Being aggrieved by the aforesaid order, learned Counsel for the petitioner submits that the petitioner is facing custodial trial and he made a prayer for recalling the prosecution witness no. 27, who is the I.O. of instant case to put 52 questions. However, the Court below held that the questions are frivolous and cannot be allowed after prolong cross-examination that has already been made by the accused.

Being aggrieved by the aforesaid order, learned Counsel for the petitioner submits that Trial Court has relied upon the judgment of **Rajaram Prasad Yadav Vs. State of Bihar**, reported in **2013 (14) SCC 461** but has overlooked the angle that the Apex Court specifically stated that after all the trial is basically for the prisoners and thereby court should afford an opportunity to them in the fairest manner possible.

Learned Counsel for the petitioner further submits that even if a single date is afforded to him, he will conclude the cross-examination by putting the questions as would be required from the list.

Having heard the learned Counsel for the petitioner, the application stands admitted.

Petitioner is directed to serve a copy of application upon the State through the office of the Public Prosecutor, High Court Calcutta.

Let the matter be listed on **19<sup>th</sup> May, 2026** under the heading **“To Be Mentioned”**.

On the basis of the prayer made on behalf of the petitioner, the proceeding being S.T. 6(8) of 17 pending before the learned Additional Sessions Judge, Fast Track Court-I, Alipore shall remain stayed till the next date i.e., on **19<sup>th</sup> May, 2026**.

**( Dr. Ajoy Kumar Mukherjee, J. )**