

12.03.2025
Item no. 37.
Court No.29.
AB
(Rejected)

CRM (DB) 286 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 Kaliachak P.S. Case No.210 of 2023 Dated 25.02.2023 under Sections 302 201 of the Indian Penal Code

And

In the matter of : Aliul Sk. @ Golam Ahmed

.....Petitioner.

Mr. Sujay Sarkar
Md. Musharaf Alam,
Ms. Sneha Srivastava,
Ms. Debolina Goswami for the Petitioner.

Mr. Suman De for the State.

Mr. Amit Ranjan Pati
Ms. Swastika Choudhury
Ms. Sayesta Nasrin for the Defacto complainant.

Dictated by Arijit Banerjee, J.

1. The petitioner says that he is in custody for more than two years. Only 4 out of 16 charge sheet named witnesses have been examined. He has been falsely implicated. He has no connection with the alleged offence of murder. He prays for bail.
2. Opposing the bail prayer, learned Advocates for the State and the defacto complainant point out that in fact, 10 prosecution witnesses have been examined. The next date fixed is March 25, 2025. The trial is likely to conclude within a short period of time. The witnesses so far examined clearly implicate this petitioner.

3. We have seen the material on record including the evidence of the witnesses recorded so far. Prima facie, they implicate the petitioner. We also see that the offending weapon was recovered from the possession of the petitioner on the basis of leading statement made by him.

4. In view of the prima facie incriminating material against the petitioner and keeping in mind that if convicted, the petitioner will have to suffer mandatory life imprisonment, and also seeing that the trial is likely to end soon, we are not inclined to allow the petitioner's prayer for bail, at this stage.

5. The prayer for bail is rejected.

6. CRM (DB) 286 of 2025 is dismissed.

7. Needless to say that the observations made in this order are only for the purpose of disposing of this bail application and shall have no effect whatsoever on the trial.

8. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Om Narayan Rai, J.)

(Arijit Banerjee, J.)

