

28.08.2025

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jdt.

CRM(DB) 406 of 2025

In Re : An Application under Section 439 of the Code of Criminal Procedure/under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Rampurhat Police Station case no. 168/2022 dated 22.03.2022 under Sections 302/120B/34 of the Indian Penal Code and Sections 3/4 of the E.S. Act.

And

In Re : Newton @ Asamul Haque

Mr. Milon Mukherjee
Md. Ashraf Ali

... For the Petitioner

Mr. Dhiraj Trivedi
Mr. Amajit De

... For the CBI

The petitioner is in custody for about 2 years and prays for bail.

Learned counsel for the petitioner submits that the petitioner's name has transpired only in the second supplementary charge sheet as one of the accused. There are several witnesses to be examined and there is remote possibility of trial being concluded in near future.

Learned counsel for the CBI opposes the prayer and submits that the CBI has not examined some of the vital witnesses since 17 witnesses have turned hostile and the authority apprehends that the remaining vital witnesses may not state the facts before the learned trial Court due to obvious reasons. CBI has sought transfer of the case from the learned trial Court.

I have considered the material on record.

The petitioner appears to be one of the principal assailants who hurled bomb on the victim resulting in his death. The role attributed to the petitioner has been elaborately discussed in the order rejecting the bail prayer of the petitioner on 5th February, 2024. The bail prayer of the co-accused similarly placed with the petitioner has been turned down by this Court on 17th March, 2025. Prosecution proposes to examine 63 witnesses in all, out of whom 38 witnesses have been examined so far. The petitioner is in custody for about 2 years. Offence, if proved, shall attract mandatory life imprisonment.

Considering the gravity of the offence and prima facie involvement of the petitioner therein, prayer for bail is rejected at this stage.

Learned trial Court is directed to expedite the trial without granting any unnecessary adjournment to either of the parties.

The application for bail is disposed of.

Case diary be returned.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)