

April 03, 2025
25 ARDR
(Rejected)

CRM(DB) 541 of 2025

In Re : An Application for bail under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023 filed in connection with **Itahar**
Police Station Case No. 188 of 2024 dated 10/04/2024 under
Sections 341/348/326/354/427/506/307/302/34 of the Indian
Penal Code.

And

In Re : Alim Ali @ Alim & anr.

... Petitioners.

Adv. Tapan Dutta Gupta,
Adv. Parvej Anam,
Adv. Puspa Rani Jaiswara,

... for the petitioners.

Adv. Ashok Das,
Adv. Aayana Dey,
Adv. Hasi Jana,
Adv. Shreyash Mondal,

..for the defacto complainant.

Adv. Ranabir Roy Chowdhury,
Adv. Rajnandini Das,

... for the State.

Learned counsel for the petitioners submits that the
petitioners do not press the bail prayer of the 2nd petitioner, namely,
Manirul Islam @ Manjul.

The 1st petitioner Alim Ali & Alim renews his prayer for bail.
His prayer for bail was turned down on 12th December, 2024 upon
considering the merits of the case.

Learned counsel for the petitioners submits that the petitioner
is in custody for about ten months. Charge sheet has been
submitted and his further detention is not required.

Learned counsel for the State produces the Case Diary and
opposes the prayer. Learned counsel submits that eight accused
persons are still absconding for which progress in trial has been
stalled.

Learned counsel for the defacto complainant is represented and opposes the prayer for bail.

It appears from the statement of the wife of the victim recorded under Section 164 of the Code of Criminal Procedure that the 1st petitioner was one of the assailants who jointly assaulted the victim and his son with the other assailants which resulted in death of the victim. The prayer of the 1st petitioner was turned down by this Court as recently as in December, 2024 on merits. There is no change of circumstance which warrants a favourable order of bail for the petitioner at this stage.

Accordingly the prayer for bail is rejected.

Case Diary be returned.

The application for bail is disposed of.

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

(Suvra Ghosh, J.)