

08.04.2025

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jb.
jdt.

C.R.M. (DB) 543 of 2025

In the matter of : Sohidul Islam

... Petitioner.

In Re: An application under Section 439 of the Code of Criminal Procedure, 1973/under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 7th February, 2025 in connection with Raninagar Police Station Case no. 168 of 2021 dated 06.04.2021 under Sections 341/326/307/302/34 of the Indian Penal Code and Sections 3/4 of the Explosive Substance Act and 25/27 of the Arms Act.

Mr. Shatarup Purakayastha
Hamidur Rahaman

... For the Petitioner.

Mr. Suman De
Mr. Sachit Talukder

... For the State

The petitioner is in custody for 3 years and 9 months.

Learned counsel for the petitioner submits that he has not been implicated as one of the assailants by PW 1. No specific overt act has been attributed to him. The incident occurred as a result of free fight between two groups of people over a dispute with regard to a goat trespassing into the land of one of the groups. His further detention is not necessary. He prays for bail.

Opposing the prayer learned counsel for the State submits that sufficient incriminating material has transpired against the petitioner during investigation and P.W. 6 has specifically named the petitioner as one of the assailants.

I have considered the material on record.

P.W. 6 has specifically stated that the petitioner assaulted one of the victims with a sword on her neck. The sword was recovered on the basis of leading statement of the petitioner. It

also appears that out of 26 charge-sheeted witnesses 23rd witness is being examined and trial is on the verge of conclusion.

Considering the material on record, particularly the evidence connecting the petitioner to the alleged offence, prayer for bail is rejected at this stage.

Learned trial Court is directed to take the proceeding to its logical conclusion as expeditiously as possible without granting any unnecessary adjournment to either of the parties, in accordance with law.

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.)