

June 12, 2025

27 ARDR

(Allowed)

CRM (M) 295 of 2025

In Re : An Application for bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with **Hanskali** Police Station Case No. **299** of **2023** dated **07/4/2023** under Sections **302/120(B)** of the Indian Penal Code and Sections **25/27** of the Arms Act.

And

In Re : Selim Aktar Biswas @ Selim Biswas & Sahin Aktar Biswas @ Sahin Biswas.

... Petitioners.

Sr. Adv. Sandipan Ganguly,
Adv. Manaswita Mukherjee,

... for the petitioners.

Adv. Bibaswan Bhattacharya,
Adv. Subhasish Dutta,

... for the State.

The petitioners are in custody for more than two years and pray for bail.

Learned counsel for the petitioners submits that though the defacto complainant/daughter of the victim has named the petitioners along with other alleged miscreants in the FIR, she has not named any of them at the time of inquest which was held in her presence. Also, no specific role has been attributed to the petitioners by her in her evidence before the learned trial Court. The only other eye witness to the alleged incident who was examined as PW 5 has turned hostile. No recovery has been made from the petitioners.

Learned counsel for the State opposes the prayer.

I have considered the material on record.

The defacto complainant/daughter of the victim who has been examined as PW 1 has not attributed any specific role to the petitioners in the alleged murder. The inquest which was held in presence of the defacto complainant demonstrates that miscreants

had covered their faces and could not be identified. No incriminating material/offending weapon has been recovered from the petitioners. Only six out of 24 witnesses have been examined so far. There is little possibility of completion of trial in near future.

Considering the material on record and extent of complicity of the petitioners in the alleged offence, this Court is of the view that further detention of the petitioners is not required and they may be granted bail subject to stringent conditions.

Accordingly, the prayer for bail is allowed.

The petitioners namely **Selim Aktar Biswas @ Selim Biswas and Sahin Aktar Biswas @ Sahin Biswas** be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned **Additional Chief Judicial Magistrate, Ranaghat, Nadia**, subject to the condition that they shall appear before the learned trial Court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioners fail to appear before the learned trial Court on any date without any justifiable cause, the learned trial Court shall be at liberty to cancel their bail in accordance with law without further reference to this Court.

The application for bail is disposed of.

Case Diary be returned.

All parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

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

(Suvra Ghosh, J.)