

20.06.2025

21
jb.
jdt.

C.R.M. (M) 461 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 Saktipur Police Station Case No. 257/2023 dated 09.11.2023 under Sections 341/326/307/354/302/34 of the Indian Penal Code.

And

In Re : Habibul Sk. @ Habibur Sk. @ Habib

Mr. Sekhar Basu
Md. Hafiz Ali
Mr. Debajyoti De

... For the Petitioner.

Mr. Kaushik Kundu
Asraf Mondal

... For the State

Mr. Manas Kr. Das
Mobaidur Hossain

... For the Defacto Complainant

The petitioner is in custody for about 17 months and prays for bail. Learned counsel for the petitioner submits that witness action has not commenced as yet. Further detention of the petitioner is not required.

Learned counsels for the State and the defacto complainant oppose the prayer.

I have perused the material on record.

The petitioner is named in the FIR. Eye witness has implicated the petitioner in the alleged offence. The bail prayer of the co-accused Atarul Sk. has been turned down by this Court on 3rd April, 2025. The petitioner is similarly circumstanced with the said co-accused. He does not appear to be on the same footing as the co-accused Mohossen @

Mohosin Sk. who has been granted bail by this Court. One of the offending weapons has been recovered from the petitioner.

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

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.)