

15.12.2025
Court No.35.
D/L. 64.
Rakib
(rejected)

CRM (M) 1392 of 2025

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Khargram Police Station case no. 203 of 2023 dated 09.06.2023 under Sections 341/325/326/307/302/120B/34 of the Indian Penal Code and Section 25/27 of the Arms Act.

And

In the matter of : Imran Sk @ Sakiruddin Sk @ Sakirul Sk
.....Petitioner.

Mr. Milon Mukherjee, Sr. Adv,
Mr. Md. Jannat Ul Firdous
.....for the Petitioner.

Mr. Suman De
Mr. Santanu Deb Roy
.....for the State.

Learned advocate for the State has submitted a report incorporating the evidence of the three witnesses who have been examined and stands corrected from his earlier submissions before this Court that 'four witnesses have been examined'.

Three witnesses have been examined, I have checked the evidence of the three witnesses and from the evidence of Mojammel Sk/PW3, I find that Manija Bibi and Miyajul Sk are two injured eye-witnesses.

Learned advocate for the State submits that additionally there are two other injured eye-witnesses being Saheban Sk, Miyajul Sk are to be examined.

Learned senior advocate appearing for the petitioner submits that unnecessarily it has been stated that the present petitioner is the principal accused. The evidence of the case is in progress. There is no scope for presumption or prejudice being created since the offences tried of are under the Indian Penal Code where an accused is presumed to be innocent until he is proven guilty.

The order-sheet which has been placed before this Court dated 25.11.2025 reflects that on 22.04.2026 and 23.04.2026 dates have been fixed for evidence of PW1, PW2, PW3 and PW4. As one of the accused is facing custody trial, it was unwise on the part of the Court to fix a date after six months.

Without disrupting the schedule by pre-poning the case, I direct that after 23.04.2026, learned trial Court would complete the evidence (examination-in-chief and cross-examination) of Manija Bibi and Miyajul Sk and Saheban Sk by 7th of May, 2026.

Petitioner will renew his prayer for bail after the aforesaid witnesses are examined.

At this Stage CRM (M) 1392 of 2025 is **dismissed**.

Report submitted by the State be kept with the record.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

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

(Tirthankar Ghosh, J.)