

11.09.2025

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jb.
jdt.

C.R.M. (M) 1300 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 Itahar Police Station Case No. 301 dated May 03,2025 under Sections 103/238 of the Bharatiya Nyaya Sanhita .

And

In Re : Mahiuddin Sk.

Mr. Subhabrata Datta
Mr.Aranya Saha

... For the Petitioner.

Zareen N. Khan
Mr. Arani Bhattacharyya

... For the State

The petitioner is in custody for about 95 days.

Learned counsel for the State opposes the prayer.

The case is based on circumstantial evidence. One towel has been recovered from the house of the petitioner at his instance.

Learned counsel for the State submits that the said towel has been sent for forensic examination. It is alleged that the petitioner and the co-accused have been threatening the victim's family through their family members.

A mass petition was also produced before this Court which demonstrates that the local villagers submitted an application before the police station implicating the petitioner. Charge sheet has been submitted. In the event the petitioner is released on bail at this stage, possibility of

the petitioner intimidating the vulnerable witnesses cannot be ruled out.

Considering the nature and gravity of the offence and prima facie involvement of the petitioner therein as well as the conduct of the petitioner, prayer for bail 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.)