

01.12.2025
Serial no. 76
[G.S.D]

CRM (M) 1354 of 2025

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure, 1973/under Section 483 of the BNSS, 2023 in connection with **SC Case No. 38(12) of 2015 arising out of Kaliganj Station Case No. 163 of 2015 dt. 04.05.2015 u/s 147/148/149/448/307/302/436/34 of the IPC and u/s 25/27 of the Arms Act and Section 9-B of the Indian Explosive Act, 1884.**

-And-

In the matter of : Babusona Sk. @ Rohid Sk.

... .. Petitioner(s)

Mr. Habibur Rahaman
Ms. Mehabuba Rahaman
Mr. Archisman Singh

... for the Petitioner(s)

Mr. Soumik Ganguly
Mr. S. S. Saha

... for the State-respondent(s)

Learned advocate for the petitioner submits that the petitioner is a patient of leprosy and tuberculosis and he was available at the house. However, inspite of the same, he has been falsely impersonified by the police authorities and has been implicated in connection with the instant case.

Learned advocate also insists that the name of the accused appearing in the case record is Babusona Sk. but the present petitioner is Rohid Sk. According to the learned advocate, both Babusona Sk. and Rohid Sk. are not the same and identical person.

Learned advocate again submits that inspite of the same, the petitioner has been detained for one year and four months in custody and there has been no progress in

the case till date, as such, he prays for bail of the petitioner on any stringent condition.

Learned advocate for the State, on the other hand, submits that the petitioner was absconded for nine years and was arrested pursuant to the process being executed.

According to the learned advocate, the subject-matter of the case involves murder of three persons. The petitioner's name appeared in the evidence of the case where two of the accused persons have already been convicted and the prosecution is taking steps for progressing with the trial. The petitioner would face split up trial in view of the earlier trial having been concluded and a challenge has been presented in respect of the verdict pronounced by the learned trial court.

Be that as it may, having considered the checkered carrier of the present case, I am not inclined to release the petitioner on bail.

Hence, the prayer for bail of the petitioner is **Rejected.**

Accordingly, CRM(M) 1354 of 2025 is **dismissed.**

Pending application(s), if any, is also disposed of.

Report submitted be kept with the record.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

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

(Tirthankar Ghosh, J.)