

03.03.2025

ML-74 to 78
Court No.26
(Dismissed)
(AD)

CRM (DB) 3410 of 2023

In re: An application for cancellation of bail under Section 439(2) of the Code of Criminal Procedure, 1973.

Central Bureau of Investigation
Vs.
Majahidulla Laskar @ Laltu Laskar

with
CRM (DB) 3416 of 2023

In re: An application for cancellation of bail under Section 439(2) of the Code of Criminal Procedure, 1973.

Central Bureau of Investigation
Vs.
Ajijul Molla

with
CRM (DB) 3419 of 2023

In re: An application for cancellation of bail under Section 439(2) of the Code of Criminal Procedure, 1973.

Central Bureau of Investigation
Vs.
Probhas Purukayastha @ Probhas Purkait

with
CRM (DB) 3422 of 2023

In re: An application for cancellation of bail under Section 439(2) of the Code of Criminal Procedure, 1973.

Central Bureau of Investigation
Vs.
Bikram Mondal

with
CRM (DB) 3423 of 2023

In re: An application for cancellation of bail under Section 439(2) of the Code of Criminal Procedure, 1973.

Central Bureau of Investigation
Vs.
Nityananda Baidya

Mr. Amajit De, Special PP, CBI
... for the CBI

1. Five applications for cancellation of bail are taken up for analogous hearing as they emanate out of the same police case.
2. The applications for cancellation of bail are at the behest of the Central Bureau of Investigation (CBI)
3. None appears for the private opposite parties despite service.
4. Learned Advocate appearing for the CBI submits that, the police case involves gang rape. Victim identified the private opposite parties as the perpetrators of the crime.
5. Learned Advocate appearing for the CBI draws the attention of the Court to Order No.7 dated November 21, 2022 passed by the learned jurisdictional Court in respect of one of the accuseds, namely, **Probhas Purkayastha alias Probhas Purkait**. He submits that, there is a statement recorded under Section 164 of the Code of Criminal Procedure implicating such person in gang rape.
6. We perused the order granting bail to **Probhas Purkayastha alias Probhas Purkait**.
7. Learned jurisdictional Court took into consideration the completion of the investigation, the period of custody of such co-accused, the possibility of early commencement of trial as also the apprehension expressed by the learned Public Prosecutor of absconsion and threatening of witnesses and proceeded to grant bail to such co-accused.

8. Today, no material is placed before us to suggest that, any of the private opposite parties misutilized the liberty of bail or violated any conditions of the order granting bail.
9. Charges are yet to be framed. Therefore, possibility of the trial ending any time in the near future is nearly non-existent.
10. In such circumstances, we are not minded to interfere with the orders impugned.
11. **CRM (DB) 3410 of 2023, CRM (DB) 3416 of 2023, CRM (DB) 3419 of 2023, CRM (DB) 3422 of 2023 and CRM (DB) 3423 of 2023** are **dismissed** without any order as to costs.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)