

09.12.2025

Court No.35.

M/L. 166.

Rakib

(rejected)

CRM (M) 1909 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 Baruipur Police Station case no. 1868 of 2022 dated 07.12.2022 under Sections 302/120B/34 of the Indian Penal Code and under Sections 25/27 of the Arms Act.

And

In the matter of : Abdul Hamid Mondal @ Balai.

.....Petitioner.

Mr. Soumya Nag

Mr. Azam Khan

Mr. Aditya Tiwari

.....for the Petitioner.

Mr. Md. Adil Badr

Ms. Sreetama Das

.....for the State.

Mr. Moyukh Mukherjee

Mr. Abhijit Singh

Mr. Sahidar Rahaman

....for the de-facto complainant.

Learned advocate for the petitioner submits that petitioner is in custody for one year seven months and there has hardly any progress in the trial of the case and as such on any stringent conditions petitioner may be released on bail.

Learned advocate for the State produces the Case Diary and submits that two persons were murdered and the accusations are against the present petitioner who allegedly fired at the deceased.

Be that as it may, the merits of the case would be considered by the learned trial Court in course of evidence of

the case. It is complained that till date charge has not been framed.

Learned trial Court is directed to frame charges on the next date so fixed or within a fortnight thereafter. In case any accused is absent and is not cooperating with the learned trial Court, it would be the discretion of the learned trial Court to modify and/or cancel the order of bail so granted to such accused person. Learned trial Court would expedite the process of the trial.

At this stage, CRM (M) 1909 of 2025 is **dismissed**.

Report so submitted by the State be kept with the record.

Case Diary be returned to the learned advocate for the State.

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.)