

M/L173
09.12.2025
Bpg.
Dismissed

C.R.M. (M) 1974 of 2025

In Re: An application for bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Tamluk Police Station Case No.959/2024 dated 30.10.2024 under Sections 318(4)/317(4)/336(3)/338/339/340(2)/61(2) of Bharatiya Naya Sanhita, 2023 read with Section 66(B)/66(C)/66(d) Information Technology Act, 2000;

Asirul Hoque & Ors.
Versus
The State of West Bengal

Mr. Kazi Abul Hasem
Mr. Somnath Banerjee.
...for the petitioners.

Mr. Md. Adil Badr
Ms. Sima Biswas.
...for the State.

Learned advocate appearing for the petitioners submits that the petitioners are in custody for more than one year and till date out of the proposed 58 witnesses only one witness till date has not been concluded by the prosecution. There are hardly any materials which are available so far as the present petitioners are concerned and they are unnecessarily detained in custody.

Learned advocate for the State, on the other hand, produces the case diary and submits that there are seizure list which would reflect in respect of the records of fake beneficiaries being available in the house of the accused persons. There are seizures to that effect and the prosecution has put in efforts to expedite the progress of the trial.

Additional prayer has been advanced on behalf of the

petitioners that one of the petitioner, namely, Usman Ali is facing certain issue so far as his eyes are concerned and requires surgery.

I have taken into account the stage of the case as the case has commenced after consideration of charges, huge volumes of documents are required. Consequently, the trial court is directed to ensure that at least on each and every week a date is fixed for progressing the trial of the case.

So far as the petitioner no.2, Usman Ali is concerned, the Superintendent of the concerned jail is directed to take steps for the eyes to be tested before an expert of a recognized Government hospital. If required, arrangements be made for surgery. Learned trial court would monitor the same and would ensure that the health of the petitioner no.2 as it has been stated do not affect during his tenure of detention in custody.

Having regard to the gravity of the offence, I am not inclined to release the petitioners on bail.

Accordingly, the prayer for bail of the petitioners in CRM(M)1974 of 2025 is dismissed.

All parties shall act on the server copy of this order duly 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 of all requisite formalities.

(Tirthankar Ghosh, J.)

