

D/L27

27.02.2025
Rohit
ct.no.26

C.R.M. (DB) 3485 of 2024

In Re: An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Rishra Police Station Case No. 34 of 2021 dated 05.03.2021 under Sections 302/394/412/34 of the Indian Penal Code.

And

In Re: **Babu Sk @ Asarul Sekh @ Bablu**

...Petitioner

Mr. Sekhar Kumar Basu, Sr. Adv
Mr. Shiladitya Banerjee
Mr. Abhijit Ganguly

...for the petitioner

Mr. Soumik Ganguly
Mr. Sharequl Haque

...for the State

1. Petitioner prays for bail.
2. Learned Senior Advocate appearing for the petitioner submits that the petitioner is in custody in excess of four years. There is hardly any possibility of expeditious disposal of the trial in view of the fact that prosecution examined only seven witnesses out of thirty charge-sheeted witnesses. He submits that, articles recovered were not identified at the trial. No witness saw the petitioner at the place of occurrence.
3. Learned Advocate appearing for the State submits that, prosecution proposes to examine in aggregate

18 witnesses out of which seven witnesses were examined. He submits that, the mobile tower location of the petitioner places the petitioner at the place of occurrence. Forensic evidence also places the petitioner at the place of occurrence.

4. Trial is in progress. Seven prosecution witnesses were examined.
5. Court is informed that the prosecution is likely to examine eighteen witnesses.
6. Forensic evidence as well as the mobile tower location of the petitioner places the petitioner at the place of occurrence. Apparently, there was an illicit relationship between one of the victims and the petitioner.
7. Petitioner stands implicated in murder of the person with whom the petitioner was in an illicit relationship along with the daughter of the victim.
8. Considering the gravity of the offence, the involvement of the petitioner, the stage of the trial and the evidence on record we are not inclined to grant bail to the petitioner.
9. Prayer for bail of the petitioner is **rejected**.
10. **C.R.M.(DB) No. 3485 of 2024** is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)