

D/L65-67
04.03.2025
Rohit
ct.no.26

C.R.M.(DB) 3919 of 2023
With
C.R.M. (DB) 3926 of 2023
With
C.R.M. (DB) 3930 of 2023

In Re: An application for cancellation of bail under Section 439(2) of the Code of Criminal Procedure, 1973 in connection with Budge Budge Police Station Case No. 218 of 2023 dated 12.07.2023 under Sections 341/307/326/34/120B/506(II) of the Indian Penal Code and under Sections 25/27 of the Arms Act

And

In Re: **Nazir Hussian**

...Petitioner

Mr. Soumya Nag

...for the petitioner

Mr. Sujan Chatterjee

...for the State

Mr. Uday Sankar Chattopadhyay

Ms. Bidisha Chakraborty

Ms. Aishwarya Datta

...for the Accused
opposite parties

1. Report submitted on behalf of the State be taken on record.
2. Three applications for cancellation of bail are taken up for analogous consideration as they relate to the same police case.
3. Jurisdictional court from time to time enlarged the private opposite parties in the three applications for cancellation of bail on bail considering that they were not the principal accused in the police case. Jurisdictional Court found that one Dinesh Balmiki and Umesh Balmiki were the persons who were involved in using the firearms.
4. Materials on record do not suggests that the private opposite parties in the three applications

were involved in the actual shooting of the victims. From two of the private opposite parties, improvised firearms were recovered. Again as noted above, they were not seen using any firearms in the incident covered under the police case.

5. Charges are yet to be framed.
6. Police case is of 2023.
7. It is contended on behalf of the petitioner that, the defence is taking time and preventing the framing of the charges and expeditious disposal of the trial.
8. Date fixed for framing of charges by the learned Trial Judge is March 20, 2025.
9. Learned Trial Judge is requested not to grant any unnecessary adjournments to any of the parties to the trial and endeavour to dispose of the trial as expeditiously as possible.
10. We are not minded to cancel the bail granted to the private opposite parties firstly on the ground that no post bail misconduct incident is drawn to our notice and that, the order granting bail contains adequate reasons for the same.
11. **C.R.M. (DB) 3919 of 2023, C.R.M. (DB) 3926 of 2023 and C.R.M. (DB) 3930 of 2023** are, therefore, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)