

D/L33

14.02.2025
Rohit
ct.no.26

C.R.M. (DB) 3693 of 2024

In Re: An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Nalhati Police Station Case No. 146 of 2021 dated May 14, 2021 under Sections 302/201/34 of the Indian Penal Code.

And

In Re: **1. Md. Imram**
2. Mainuddin Sk @ Mainu
3. Chand Mohammad Ali @ Chano
4. Faruk Ali @ Badal

...Petitioners

Mr. Md. Sabir Ahmed
Mr. Md. Abdur Rakib

...for the petitioners

Mr. Amajit De, Special P.P.

...for the CBI

1. Petitioner renews the prayer for bail.
2. Learned Advocate appearing for the petitioners submits that the petitioners are in custody in excess of three years five months. He submits that, there is hardly any possibility of the trial ending anytime soon given the number of charge-sheeted witnesses at 103.
3. Learned Advocate appearing for CBI submits that the prosecution is likely to examine thirty witnesses out of which four witnesses were examined. He submits that the victim suffered forty one injuries as appearing from the Post-mortem Report. There are atleast five statements recorded under Section 164 of the Criminal

Procedure Code implicating all of the petitioners as playing an active role in the murder.

4. Learned Advocate appearing for CBI submits that, there are allegations of unknown persons threatening the vulnerable witnesses.
5. Learned Advocate appearing for the petitioners submits that, CBI applied for transfer of the police cases from out of the State where, no whisper of such threatening was made.
6. Petitioners before us stand implicated in murder. Victim suffered forty one injuries as appearing from the post-mortem report.
7. Prosecution received complaint of witnesses being threatened.
8. The trial is in progress. Prosecution is likely to examine 30 witnesses out of which four were examined. Possibility of the trial getting affected by the grant of bail to the petitioners cannot be ruled out.
9. Desirability of enlarging the petitioners on bail at this stage is not felt.
10. In such circumstances, we are not inclined to grant bail to the petitioners.
11. Prayer for bail of the petitioners is **rejected**.
12. **C.R.M.(DB) No. 3693 of 2024** is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)