

12.02.2025
Serial no.36
[Dd]
(Bail Rejected)

CRM (DB) 3638 of 2024

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Maheshtala** Police Station Case No. **228** of **2023** dated **12/05/2023** under Sections **302/201/212/109/112** of the Code of Civil Procedure, 1908.

-And-

In the matter of : Isab Sk@ YusufPetitioner

*Mr. Tathagata Majumder,
Ms. Neha Chakraborty, Advocates
... .. For the Petitioner*

Mr. Faria Hossain, APP
Md. Kutubuddin, Advocates
... ..For the State

Mr. Partha Sarathi Maitra,
Mr. Rohan Dwipayam Bhowmick, Advocates
.. ..For the de facto complainant

1. Petitioner prays for bail.
2. Learned advocate appearing for the petitioner submits that the petitioner is in custody for 630 days. He submits that the charges were framed on June 13, 2024. Prosecution intends to examine 30 witnesses. No prosecution witness was examined. There is hardly any possibility of the trial commencing any time soon. Prosecution is not putting forward any eye-witness in the incident. Petitioner was falsely implicated.
3. Learned Additional Public Prosecutor appearing for the State submits that there is close circuit video footage to implicate the petitioner in the twin murder of the grandmother and the grandson. She submits that the fingerprints available at the place of occurrence matches with the petitioner.
4. Materials in the case diary implicate the petitioner in two murder cases. Close circuit video footage as also the

fingerprint of the petitioner place the petitioner in the place of occurrence and at the time of occurrence of the crime. Postmortem report of the victim suggests that victim expired due to assault on the head by a blunt instrument or weapon.

5. Considering the gravity of the offence, involvement of the petitioner therein and the materials in the case diary, we are not inclined to grant bail to the petitioner.
6. In such circumstances, prayer for bail of the petitioner is **rejected**.
7. CRM (DB) 3638 of 2024 is **dismissed**.
8. Records suggest that the defence obtained adjournments before the trial Court on some occasions.
9. We request the learned trial Court to fix consecutive dates for the trial and not to grant unnecessary adjournments to any of the parties. Learned trial Court is also requested to ensure that the petitioner is supplied with the concerned CCTV footage that the prosecution seeks to rely upon at the trial.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)