

28.11.2025

Court No.35.

D/L. 152.

Kausik

(Rejected)

CRM (M) 2388 of 2025

In Re: An Application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023/ Section 439 of the Code of Criminal Procedure, 1973 in connection with Mallarpur Police Station Case No. 205 of 2025 dated 19.07.2025 under sections 126(2)/118(1)/118(2)/109(1)/103(1)/61(2) of the BNS, 2023 and 3/4 Explosive Substance Act, 1908.

And

In the matter of : Eyafor Sekh @ Yafor Sk. @ Bosir Sekh

.....Petitioner.

Mr. Samim Ahammed
Ms. Gulsanwara Pervin
Mr. Arka Ranjan Bhattacharya
.....for the Petitioner.

Ms. Debjani Chakraborty
Mr. Ranabeer Halder
Mr. Sidharta Kundu

....for the defacto complainant

Mr. Sandip Chakraborty
Ms. Sana Naaz

.....for the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 130 days, charge sheet has already been submitted, the petitioner is aged about 75 years and he has been falsely implicated in connection with the instant case because of dispute arising out of property.

Learned advocate submits that on any stringent grounds the petitioner may be released on bail.

Learned advocate for the defacto complainant opposes the prayer for bail and learned advocate appearing on behalf of

the State produces the case diary. Attention of the Court has been drawn to the statement of the injured witnesses.

I have considered the statements as also the fact that the case is fixed before the learned Magistrate at a stage when there is a possibility of segregating the trial from the absconding accused persons.

It has been submitted that a decision has already been taken against the absconding accused persons. Consequently, I direct the learned Magistrate to split up the trial supply the copies and commit the case to the learned Sessions Court so that there may be progress in respect of the proceedings.

Petitioner is granted liberty to renew the prayer for bail after the stage of consideration of charges are over.

At this stage CRM (M) 2388 of 2025 is dismissed.

All parties shall act in terms of server copy of the order 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 with all requisite formalities.

(Tirthankar Ghosh, J.)