

12.02.2025
Item No.34
Court No. 26
CHC
Rejected

CRM (DB) 3628 of 2024

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure, 1973/Under Section **483** of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Usthi** Police Station Case No. **110 of 2023** dated **06.03.2023** under Sections **448/326/307/387/34** of the Indian Penal Code, 1860 and Sections **25/27** of the Arms Act, subsequently charge framed under Sections 448/326/307/387/201/120B/34 of the Indian Penal Code, 1860 and Sections 25/27 of the Arms Act.

-And-

In the matter of : **Rejaul Laskar @ Choto Matal**
... ..**Petitioner**

Mr. Pronojit Roy, Advocate
... .. For the Petitioner

Ms. Shaila Afreen, Advocate
Mr. Asif Dewan, Advocate
... ..For the State

1. Petitioner renews prayer for bail.
2. Learned advocate appearing for the petitioner submits that, there hardly any likelihood of the trial ending any time soon. Only one prosecution witness was examined in full. Examination of the second witness of the prosecution is yet to be completed.
3. Learned advocate appearing for the State draws the attention of the Court to the materials in the Case Diary. She submits

that, the victim suffered gunshot injuries. The offending weapon was recovered from the possession of the petitioner.

4. Learned advocate appearing for the State submits that, on some dates before the Jurisdictional Court, the defence obtained adjournment.
5. The contention of the State that, the defence obtained adjournment is disputed on behalf of the petitioner.
6. Materials in the Case Diary implicate the petitioner in the user of a firearm causing bullet injuries to the victim. Firearm was recovered from the possession of the petitioner. Active role so far as the petitioner is concerned, is ascribed. Trial is on going.
7. Learned advocate appearing for the State submits that, the prosecution seeks to examine 10 prosecution witnesses.
8. Therefore, out of 10 prosecution witnesses, the prosecution already examined one with the other in the witness box.
9. Petitioner is in custody for one year and 11 months with the charges being framed on February 27, 2024.
10. Considering the gravity of the offence and the involvement of the petitioner therein and the fact that, the trial is in progress with the relevant witnesses are yet to be examined at the trial, enlarging the petitioner on bail at this stage will not subserve the interest of justice.
11. In such circumstances, we are not inclined to grant bail to the petitioner.
12. Prayer for bail of the petitioner is **rejected**.

13. CRM(DB) 3628 of 2024 is **dismissed**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)