

D/L 35
08.12.2025
Bpg.
dismissed

C.R.M. (M) 2579 of 2025

In Re: An application for bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Magrahat Police Station Case No.328 of 2024 dated 01.09.2024 under Sections 312/313/127/103/238/3(5) of Bharatiya Nyaya Sanhita;

Jafar Hosen Molla @ Jafor Hosen Molla @
Jafar Hossain Molla @ Jafar
Versus
The State of West Bengal

Mr. Soumya Nag
Mr. Aditya Tiwari.
...for the petitioner.

Mr. Ranadeb Sengupta
Mr. Debarshi Brahma.
...for the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 1 year 3 months and the petitioner is on a better footing than another accused, namely Suraj Molla who has been granted bail. It has also been contended that there is no possibility of the trial concluding in near future and, as such, on any stringent conditions, the petitioner may be released on bail.

Learned advocate appearing for the State opposes the prayer for bail and submits that the case had its genesis in the highway dacoity wherein after failing there was a fire targetted in which the helper of the truck expired. Prosecution proposes to examine 19 witnesses in support of its case. There are recoveries both from Suraj Molla as well as the present petitioner. However, so

far as the issue relating to CCTV footage is concerned, there is a distinguishable position of Suraj Molla from the present petitioner. As it was contended that from the house of Suraj Molla in CCTV footage it revealed that he was arrested from the house at about 3.00 a.m. No such issue has been canvassed before this Court to place the petitioner at par with the said Suraj Molla.

Having considered the gravity of the offence, at this stage, I am not inclined to release the petitioner on bail.

Accordingly, CRM(M) 2579 of 2025 is dismissed.

Petitioner would renew his prayer for bail after all the seizure witnesses are examined.

All parties shall act on the server copy of this order duly 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 of all requisite formalities.

(Tirthankar Ghosh, J.)