

65-68. 19.12.2025
Court
No.8 (Tanmoy)

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL APPELLATE JURISDICTION**

**CRA (DB)/284/2023
WITH
CRA (DB)/26/2024
WITH
CRA (DB)/322/2023
IA NO: CRAN/1/2024
WITH
CRA (DB)/372/2023
IA NO: CRAN/5/2025**

**IA NO: CRAN/5/2025
In
CRA (DB)/372/2023**

In Re: - An application under 430 of BNSS, 2023 in connection with the judgment and order dated 23/27.06.2023, passed by the learned Additional Sessions Judge, Krishnagar, Nadia in SC No. 38(12)2015 and ST No. IV(February) 2016 arising out of Kaliganj PS Case No. 168/2015 dated 04.05.2015 and convicted under Sections **147/148/149/448/307/302/436/34** of the Indian Penal Code, 1860 read with Sections **25/27** of the Arms Act and Section **9B** of the Explosives Act.
And

In the matter of: - **ALFAB@ALTAB SK & ORS.**

...applicants/
appellants.

Mr. Soubhik Mitter
Mr. Snehansu Majumder
Ms. Sangeeta Chakraborty
Mr. Debraj Shil

...for the applicants/
appellants.

Ms. Amita Gaur, Sr. Govt. Adv.
Mr. Saibal K. Dasgupta

...for the State.

Dictated by Arijit Banerjee, J.

1. These applicants are five out of the 19 convicts. Learned Advocate for the applicants tells us that 12 convicts have already been granted bail by suspending the sentence. The

present applicants stand on the same footing as the 12 convicts. The orders granting bail to the other convicts have been annexed to this application.

2. Learned State Counsel, while opposing the prayer for suspension of sentence, in her usual fairness, does not dispute that the present applicants are similarly circumstanced as the other convicts who have been enlarged on bail upon suspension of sentence insofar as their role in the alleged offence is concerned.
3. Accordingly, on the ground of parity, we allow this application and we hereby do suspend the sentence of imprisonment of the present applicants.
4. It is thus ORDERED that the applicants, namely, **1. ALFAB@ALTAB SK, 2. JITU SK, 3. KESHAB SK, 4. FARDOJ @ FARDUS MALLICK, 5. SAHID SK@CHHAID** shall be released on bail upon furnishing a bond of Rs. 10,000/- (Rupees Ten Thousand) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Nadia at Krishnagar, subject to condition that the applicants, while on bail, shall not leave the geographical limits of the district of Nadia without the leave of the learned Trial Court and shall report to the Officer-in-Charge/Inspector in-Charge of Kaliganj Police Station once in a fortnight until further orders and that the applicants shall be personally present or be represented by their learned Counsel during hearing of the appeal and

they shall surrender before the Trial Court as and when called for in connection with the present appeal.

5. The operation of the order of conviction and sentence shall remain suspended till disposal of the appeal or until further orders, whichever is earlier.
6. The department is directed to forward a copy of this order to the Superintendents of the concerned Correctional Homes for immediate release of the present applicants/appellants unless they are wanted in connection with any other case.
7. We clarify that the observations made by us in this order are only for the purpose of disposing of the application for suspension of sentence and the same shall have no relevance at the final hearing of the appeal.
8. The application being IA No: CRAN/5/2025 is accordingly disposed of.

**In Re: CRA (DB)/284/2023
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9. By the order dated November 19, 2025, a co-ordinate Bench had directed the department to prepare a second set of Trial Court Records (TCRs) being xerox copies of the original records and file a report on December 3, 2025, when these appeals were directed to be listed. The appeals were not listed on that date. We do not know whether the direction of the co-ordinate Bench has been carried out.

10. List these appeals under the heading “To Be Mentioned” on December 22, 2025. On that date, the department shall file a report before this Court as to whether or not this Court’s direction has been carried out.
11. Criminal Section is directed to make available certified copies of this order to the parties, if applied for, upon compliance with all requisite formalities.

(Supratim Bhattacharya, J.)

(Arijit Banerjee, J.)