

14.02.2025
Item no. 40.
Court No.29.
AB
(Rejected)

CRM (DB) 63 of 2025

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 Bhagwangola P.S. Case No.423 of 2024 Dated 18.08.2024 under Sections 126(2)/115(2)/117(2)/109/303(2)/3(5) of the B.N.S. 2023 read with Section 103(1) of the B.N.S. 2023

And

In the matter of : Saddam Hossain & Anr.

.....Petitioners.

Mr. S. S. Roy,
Mr. Debapriya Samanta,
Mr. S. Palitfor the Petitioners.

Mr. Partha Pratim Das
Ms. Rituparna Sahafor the State.

Dictated by Apurba Sinha Ray, J.

1. Learned Counsel for the petitioners has submitted that the petitioner no.1 is in custody for 175 days and the petitioner no.2 is in custody for 163 days. Investigation is complete. No specific role has been ascribed to the petitioners in the statements of the witnesses recorded under Section 183 B.N.S.S. 2023. The trial of the case has not yet started. There is no chance of an early conclusion of the trial. One of the co-accused persons, who was named in the first information report, has not been sent up in the charge sheet. The petitioners are entitled to bail.
2. Learned Counsel for the State opposes the prayer for bail. According to him, there are sufficient incriminating

materials against the present petitioners. He draws our attention to the statements of the eyewitnesses wherein they have squarely implicated the present petitioners. We have considered the materials on record including the CD and the post mortem report. There are sufficient incriminating materials against the present petitioners. The eyewitnesses have stated before the learned Judicial Magistrate that the present petitioners along with others brutally assaulted the victim, who succumbed to multiple injuries.

3. In view of the aforesaid, we are not inclined to enlarge the petitioners on bail, at this stage.
4. The prayer for bail is rejected.
5. CRM (DB) 63 of 2025 is dismissed.
6. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)