

25.02.2026
Court No.35.
D/L.248
Rakib
(Rejected)

CRM (M) 467 of 2026

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 Itahar Police Station case no. 188 of 2024 dated 10.04.2024 under Sections 341/348/326/354/427/506/307/34 of the Indian Penal Code added Section 302 of the Indian Penal Code.

And

In the matter of : Islam Ali @ Islam.

.....Petitioner.

Mr. Tapan Dutta Gupta
Mr. Parvej Anam
Ms. Rituparna Ghosh
Ms. Suvra Sardar

.....for the Petitioner.

Ms. Z. N. Khan
Mr. Atif Ahmed Siddiqui

.....for the State.

Mr. Wasim Akram

.....for the de-facto complainant.

Learned advocate appearing for the petitioner submits that petitioner is in custody for six months and majority of the witnesses are yet to be examined. So far as the witnesses who have deposed, the petitioner's role has not surfaced and two of the accused persons have been released on bail. As such on any stringent condition petitioner may be released on bail.

Learned advocate for the de-facto complainant opposes the prayer for bail and submits that the complicity and overt acts of the petitioner are evident from the materials collected by the investigating agency as well as the deposition of the witnesses.

Learned advocate for the State also opposes the prayer for bail and submits that earlier the statement of the wife of the victim

was considered and the application for bail was rejected. Presently trial of the case is in progress and it has been submitted that in case the petitioner is released on bail the rhythm of the trial would be jeopardized.

Having considered the evidence which have already surfaced against the present petitioner and some of the accused are still absconding, I am not inclined to release the petitioner on bail.

As such, the prayer for bail of the petitioner in CRM (M) 467 of 2026 is **rejected**.

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.)