

**15.06.2026**

Court No.35.

D/L. 10.

Kausik

**(Rejected)**

**CRM (M) 881 of 2026**

In Re: An Application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023/ Section 439 of the Code of Criminal Procedure, 1973 in connection with Rampurhat Police Station Case No. 169 dated 22.03.2022 under Section 147/148/149/325/326/307/302/435/436/427 of the Indian Penal Code.

And

**In the matter of : Taj Mohammad @ Chand**

**.....Petitioner.**

Mr. Swapan Kumar Mallick  
Ms. Irina Mullick

.....for the Petitioner.

Mr. Amajit De, Special PP, CBI

.....for the CBI.

Learned advocate appearing for the petitioner submits that the petitioner was arrested on 22<sup>nd</sup> March, 2022 and is in custody for more than 4 years and till date out of 142 witnesses cited by the prosecution only 41 witnesses have been examined. There is no possibility of the trial concluding in near future as the prosecution has prayed for transfer of the case from the Court at Birbhum to the Court at Purba Bardhaman.

Learned advocate for the petitioner submits that on the grounds of Article 21 of the Constitution of India the petitioner may be released on bail.

Learned Special Public Prosecutor appearing for the CBI submits that petitioner was arrested on 07.04.2022 from

Maharashtra. The genesis of the present case related to a ghastly incident where the accused person along with others charred about 10 persons to death by closing whole of the house. Number of witnesses, in the present case, has become hostile and according to the CBI, the accused along with other associates have been able to exert their influence and as such transfer has been prayed for on behalf of the CBI.

Article 21 of the Constitution of India obviously do have a significance for right to liberty but the same would vary from case to case, particularly, where heinous offenses are examined and where the release of the petitioner will have an impact on further course of trial and in this case the prosecution itself has expressed their agony regarding the conduct of the accused persons while in custody. As such, I am of the view that this is not a fit case for granting bail considering the heinousness of the offence.

Accordingly, prayer for bail of the petitioner in CRM (M) 881 of 2026 is **rejected** at this stage.

Report submitted by the CBI be kept with the record.

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.)**