

06.04.2026
Court No.35.
D/L. 68
Rakib

CRM (DB) 1368 of 2023

In Re: An Application for cancellation of bail under Section 439(2) of the Code of Criminal Procedure, 1973.

And

In the matter of : The State of West Bengal

.....Petitioner/State.

Mr. Arijit Ganguly,

.....for the Petitioner/ State.

State/petitioner is present, challenging the order dated 23.11.2022 passed by the learned Additional Sessions Judge, Special Court (E.C. Act), Berhampore, Murshidabad thereby granting bail to one of the accused namely, Motiur Rahaman @ Jhalu.

Having regard to the fact that more than three and half years have passed since the order of bail was granted and the present status of the case has not been apprised to this Court at this belated stage, I am not inclined to interfere with the bail.

However, having regard to the gravity of the offence which relate to FICN, if the trial has not been concluded, steps be taken by the learned Special Court to expedite the process of trial and take the same to its logical conclusion within a reasonable period of time.

So far as the order of bail is concerned, the same is not interfered with. It would be the discretion of the learned trial Court to modify or impose conditions if the trial has not progressed.

Accordingly, CRM (DB) 1368 of 2023 is disposed of.

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.)