

04.02.2026
Item no. 132.
Court No.35.
AB
(Rejected)

CRM (M) 2090 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 Jibantala Police Station Case No.317 of 2023 Dated 13.08.2023 under Sections 302/201 of the Indian Penal Code

And

**In the matter of : Nur Hossain Naiya @ Noor Hossion Niya
@ Nur Hossen Naiya @ Nurhasan Niya**

.....Petitioner.

Mr. Aniruddha Bhattacharya,
Ms. Anushka Bose,
Mr. Uttam Mukherjeefor the Petitioner.

Ms. Baisali Basu,
Mr. Nirupam Dhalifor the State.

1. Learned Advocate appearing for the petitioner submits that the petitioner is in custody for more than two years six months and only two witnesses have been examined out of the cited 20 witnesses. Since there is no probability of the trial concluding very soon and the case is based on circumstantial evidence, petitioner be released on bail.
2. On the other hand, learned advocate for the State opposes the bail prayer and submits that the petitioner was last seen along with the deceased at the house of the brother of the present petitioner. The body of the deceased was collected from the side of a canal and the offending weapon was seized pursuant to the same being identified by the petitioner.

3. Having considered the fact that the case is based on circumstantial evidence and taking into account the period of detention of the present petitioner, I direct the learned Trial Court to prepone the evidence of Charge Sheet Witness Nos.7, 9 and 10. Let the same be concluded by March 31, 2026.
4. Petitioner will be at liberty to renew his prayer for bail after the evidence of the aforesaid witnesses is over.
5. At this stage, the prayer for bail is rejected.
6. Accordingly, CRM (M) 2090 of 2025 is dismissed.

(Tirthankar Ghosh, J.)