Court No. 34

(266294)

09.10.2026

(AD 7)

(S. Banerjee)

CRM(M) 2499 of 2026

In Re: An application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita in connection with Sessions Case No. 104 of 2025 arising out of G. R. No. 1169 of 2025 in connection with Katwa Police Station Case No. 536 of 2025 dated 05.07.2025 under Sections 288/105/326(g)/61(2) of the BNSS, 2023 and Section 9(B)(2) of the Explosives Act and Section 25(1B)(a) of the Arms Act, pending before the learned Additional Sessions Judge, Fast Track Court, Katwa, Purba Bardhaman.

In the matter of: **Abu Taher Sk. & Ors.**

Mr. Uday Sankar Chattopadhyay
Ms. Rajashree Tah
Ms. Trisha Rakshit
Ms. Aishwarya Datta
Ms. Bidisha Chakraborty
Ms. Sadia Parveen

... for the petitioners

Mr. Kallok Mondal, Ld. PP
Mr. Pritam Roy
Ms. Triparna Roy

... for the State

1. This application for bail under Section 483 of the BNSS, 2023 has been filed in respect of 16 petitioners who are in custody for more or less one year and three months.

2. It is submitted by the learned advocate representing the petitioners that while dismissing the prayer for bail of petitioner no. 15 herein, namely Nurai Sk. @ Seikh, the Learned Co-ordinate Bench observed that the petitioner will

renew his prayer for bail after evidence of vulnerable witnesses are over. It is further submitted that 13 witnesses have been examined and none of them have either identified the accused person or said anything in evidence in support of the prosecution case.

3. On behalf of the prosecution it is submitted that one Writ petition filed by one Suvendu Das is pending where a prayer has been made for transfer of all such cases where the bomb blast is involved, to NIA.

4. However, that proceeding is pending and no order has been passed as of now.

5. So far as the instant case is concerned, on behalf of the State specific objection has been raised against the petitioner nos. 7, 8, 9,10 11 and 13 that they are having other criminal antecedents and if the bail prayer is allowed, the prosecution case will be jeopardized.

6. Having heard the learned Advocates for the parties. Considering the materials on record as well as the other facts and circumstances it appears that evidence of 13 witnesses have been examined as of now after the last order of refusal of petitioner no.15 by the Learned Co-ordinate Bench but none of the witnesses have adduced

any evidence in support the case of the prosecution .Furthermore the vulnerable witnesses are all being examined, cross-examined and discharged and the rest witnesses are all police officials. Therefore considering the prolonged period of incarceration and the other factors as discussed this Court is inclined to allow the prayer for bail so far as the petitioner nos. 1, 2, 3, 4, 5, 6, 14, 15 and 16 are concerned. So far rest petitioners there are criminal antecedents found evident from the case diary and this court is not inclined to allow their prayer at this stage.

7. Accordingly, petitioner nos. 1, 2, 3, 4, 5, 6, 14, 15 and 16 shall be released on bail upon furnishing a bond of Rs. 20,000/- (Rupees Twenty Thousand Only) each, with two sureties of like amount each, one of whom must be local to the satisfaction of the learned Additional Chief Judicial Magistrate, Katwa, Purba Bardhaman subject to the condition that:

    a) They will appear before the Investigating Officer once in a week as and when required by the Investigating Officer;

    b) They will not tamper with the evidence or threaten the witnesses;

c) They will not leave the district of Purba Bardhaman without obtaining permission from the concerned Investigating Officer.

8. So far as the petitioner nos. 7, 8, 9, 10, 11, 12 and 13 are concerned, their prayer for bail stands rejected.

9. On behalf of the petitioners evidence is adduced by the witnesses have been furnished. Let it be kept with the record.

10. Parties to act on the basis of a server copy of this order.

(Chaitali Chatterjee (Das), J.)