

20.02.2026

Court No.35.

D/L. 16.

Kausik

(Rejected)

CRM (M) 2110 of 2025

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 Raidighi Police
Station Case No. 569/2024 dated 05.11.2024 under sections
103(2)/61(2)(a) of the BNS, 2023.

And

In the matter of : Saifulla Sk. @ Sk. Saifulla

.....Petitioner.

Ms. Rajnandini Das
Mr. Narattam Acharyya

.....for the Petitioner.

Mr. Saibal Bapuli, Ld. APP
Mr. Manoranjan Mahata

.....for the State.

Learned advocate appearing for the petitioner submits
that petitioner is similarly situated as the other accused
persons who have been granted bail.

Emphasis is made in respect of bail granted to Sk.
Saibuddin @ Lalu in CRM (M) 610 of 2025. While granting bail
to Sk. Saibuddin @ Lalu the Co-ordinate Bench had taken into
account the statement of other witnesses including one
Subhendu Maity, the shopkeeper.

Learned advocate for the State, on the other hand, has
drawn the attention of the Court to the statement of one Sona
Khan. Both the witnesses were eye witnesses.

It has to be appreciated that when an incident of such nature takes place, it is very difficult to assess regarding the role of each and every person and also to notice who were the individuals exactly present and their definite role in the alleged commission of the offence.

So far as Subhendu Maity is concerned, Subhendu Maity has given a narration of facts in respect of few accused persons having been involved over there. So far as Sona Khan, another eye witness is concerned, he has elaborately described the incident. The incident refers to a set of persons who were involved in assaulting the deceased and another set of persons who were guarding the room. So far as those accused persons who were guarding the room, some of them have been granted bail. But so far as those persons who were directly involved in assaulting the deceased, only Sk. Saibuddin @ Lalu has been granted bail based on the statement of the shopkeeper, Subhendu Maity.

I have taken into account both the statements and I am of the view that the statement of Subhendu Maity do not inspire any confidence for claiming parity as a matter of right for release of the petitioner on bail.

As such I am not inclined to release the petitioner on bail.

Accordingly, the application for bail of the petitioner in CRM (M) 2110 of 2025 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.)