

05.02.2026

Court No.35.

M/L. 161.

Kausik

(Rejected)

CRM (M) 2243 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 Palashipara Police
Station Case No. 209 of 2024 dated 29.04.2024 under section
302/34 of the Indian Penal Code, 1860.

And

In the matter of : Habibul Sk.

.....Petitioner.

Mr. Arnab Chatterjee

Mr. Avik Ghosh

Ms. Debolina Roy

.....for the Petitioner.

Mr. Kausik Kundu

Mr. Manoranjan Mahata

.....for the State.

Learned advocate appearing for the petitioner submits
that the petitioner is in custody for 1 year and 7 months and
there are hardly any evidence to implicate the petitioner in
connection with the offence.

Learned advocate for the State has relied upon the
evidence of Ullad Dafadar. The case is circumstantial evidence
but the connecting link happens to be this particular witness.
Considering the case having been committed and have been
placed before the transferee court, I direct the learned Trial
Court to overcome the stage of consideration of charge and
examine this witness as PW 1.

Petitioner would renew his prayer for bail after the evidence of this witness is over.

Let the aforesaid process be completed within 3 months.

At this stage, CRM (M) 2243 of 2025 is **dismissed**.

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.)