25.11.2026
Court No.35.
D/L. 28.
Kausik
(Allowed)

CRM (M) 2996 of 2026

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 Kaliachak Police Station Case No. 474 of 2023 dated 22.04.2023 under Sections 341/326/307/302/34 & adding section 109/120B of the Indian Penal Code, 1860.

And

In the matter of : Asif Sk @ Amjed Sk @ Amjed Sekh

.....Petitioner.

Mr. Md. Wasim Akram
Ms. Sabrina Parveen

.....for the Petitioner.

Mr. Avinaba Patra
Mr. Sourav Mukherjee

.....for the Defacto Complainant.

Mr. Gouranga Kr. Das, Ld. APP
Mr. P. Karan Singh
Ms. Sharmistha Das

....for the State.

Learned advocate appearing for the petitioner has drawn the attention of the Court to the order dated 30th March, 2026 which reflects that 6 months time was granted to complete the evidence of the eye witnesses. However, till date one more witness has been examined.

Learned advocate for the defacto complainant submits there are other witnesses to be examined and two persons were

murdered at the behest of the petitioner and other accused persons.

State opposes the prayer for bail and draws the attention of the Court to the statement of the witnesses.

I have taken into account the overall materials appearing in the case and the genesis of the case arose because of dispute arising from labour commission to be received by the respective parties. Petitioner is in custody for about 3 years 7 months. Till date out of 29 witnesses cited in the charge sheet only 3 witnesses have been examined. There is no possibility of the trial concluding in near future and the earlier order of this Court did not yield any result before the learned Trial Court to proceed with the case.

Having considered the overall circumstances, particularly the period of detention of the petitioner and there is no possibility of the trial being concluded, without entering into the merits of the case, I am inclined to release the petitioner on bail.

Accordingly, prayer for bail of the petitioner is allowed.

As such, petitioner, namely, **Asif Sk @ Amjed Sk @ Amjed Sekh** be enlarged on bail subject to furnishing bond of Rs. 20,000/- (Rupees Twenty Thousand Only) with two sureties of Rs. 10,000/- (Rupees Ten Thousand Only) each, one of whom must be local to the satisfaction of Learned CJM, Malda.

If on bail, the petitioner shall be physically present on each and every date fixed before the learned Trial Court and shall not leave the jurisdiction of District of Malda without the prior permission of the learned Trial Court.

Additionally, petitioner shall report once in a week to the Kaliachak Police Station and submit the acknowledgment before the learned Trial Court on the following date fixed.

Petitioner shall stay outside the jurisdiction of Kaliachak Police Station and shall enter the jurisdiction of Kaliachak Police Station only for the purposes of attending the police station.

Accordingly, CRM (M) 2996 of 2026 is **allowed**.

Status report and memo of evidence submitted by the State be kept with the record.

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.)