23.10.2026
KCP/adeb
Sl No.53
Ct. no.7
(Allowed)

CRM (M) No.2802 of 2026

In re: An application under section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of the BNSS, 2023, in connection with Itahar Police Station Case No.188 of 2024 dated April 10, 2024 under Sections 341/448/324/326/307/354/427/506/34 of the Indian Penal Code.

And

In the matter of : **Alim Ali @ Olim @ Alim**

... Petitioner

Mr. Navanil De
Mr. Srijan Ghosh
Ms. Monami Mukherjee

...for the petitioner

Mr. Gouranga Kumar Das, Ld. APP
Mr. Amal Kumar Datta
Mr. Arindam Banerjee

...for the State

Mr. Amit Roy
Mr. Anish Tiwari

..for the *defacto* complainant

1. The petitioner, the State and the *defacto* complainant are represented.
2. At the time of hearing, Mr. De, learned advocate appearing on behalf of the petitioner submits before this Court that considering the period of detention and also considering the fact that the co-accused persons are enlarged on bail by the coordinate Bench the present application for bail may be considered preferably.
3. Such prayer is vehemently opposed by the State by saying that the involvement of the present accused petitioner in the alleged crime is found prima facie prominent at the time of investigation.
4. The prayer for bail is also opposed on behalf of *defacto* complainant by saying that the co-accused persons who were

enlarged on bail are standing on a different footing with that of the present accused petitioner. It is further submitted that previously prayer for bail of the present accused petitioner was also rejected by a coordinate Bench of this Court.

5. On careful perusal of entire materials as placed before this Court and after hearing the learned advocates for the contending parties it appears to this Court that two co-accused persons, namely; Sekh Rahul Amin @ Rahul Ali and Batasu Sekh were enlarged on bail by two separate coordinate Benches of this Court. It further appears to this Court that the present accused petitioner stands on the same footing with the said two accused persons who were already been enlarged on bail.
6. Admittedly, previously a coordinate Bench of this Court rejected the prayer for bail of the present accused petitioner. However, considering the fact that in the meantime the trial has been progressed substantially and also keeping in mind that the present accused petitioner is languishing in JC since 19th June, 2024, this Court is inclined to take a lenient approach.
7. Considering such circumstances prayer for bail is allowed.
8. Thus, it is ordered, that the present accused petitioner may find a bail of Rs.20,000/- with two registered sureties of Rs.10,000/- each, subject to the satisfaction of the learned Chief Judicial Magistrate, Uttar Dinajpur, Raiganj on condition that the present accused petitioner shall appear before the learned Trial Court on each and every date of substantive hearing and shall not leave the territorial jurisdiction of the learned Trial Court till conclusion of

the trial unless specifically permitted by the learned Trial Court.

9. It is further directed that present accused petitioner shall not commit any threat and/or any intimidation to the charge sheeted witnesses as well as shall not tamper with the evidence failing which liberty is given to the learned Trial Court to cancel the bail of the present accused petitioner.

10. With the aforementioned, **CRM(M) 2802 of 2026** is allowed and disposed of.

11. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Partha Sarathi Sen, J.)