

07.04.2026

Court No.35.

D/L. 6.

Kausik

CRM (M) 2 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 Goalpokher Police
Station Case No. 75 of 2023 dated 18.02.2023 under Sections
147/148/149/326/307/302/34 of the Indian Penal Code and
Sections 25(1)(a)/27/35 of the Arms Act.

And

In the matter of : Md. Najish Ahsan @ Najish Ahsan

.....Petitioner.

Mr. Milon Mukherjee, Sr. Adv.
Mr. Biswajit Manna

.....for the Petitioner.

Mr. Sourav Chatterjee, Sr. Adv.
Mr. Nazar Chowdhury
Mr. Farheen Rais

....for the Defacto Complainant.

Mr. Anand Keshari
Mrs. Sonali Bhar

.....for the State.

Learned Senior Advocate has argued only on the issue
relating to health of the mother of the present petitioner. A
report was called for so far as the contention relating to
metastatic carcinoma lung is concerned, the same is reflected
in the report of the Inspector-in-Charge, Goalpokher Police
Station. It is also reflected that Gulena Khatun, mother of the
present petitioner is on weekly palliative chemotherapy.

Petitioner is in custody for approximately 3 years. The
other report of the State reflects that they intend to examine 3

more witnesses which include the Forensic Expert, Judicial Magistrate who recorded the statements under Section 164 of the Cr.P.C. and the Investigating Officer of the case. The case itself have been fixed on 21.04.2026 and 22.04.2026 for examination of the remaining charge sheeted witnesses.

Learned advocate for the defacto complainant and the State opposes the prayer for bail.

Having considered the advance stage of the case, I am not inclined to release the petitioner on bail.

As such, the prayer for bail of the petitioner is rejected.

However, I direct the jail authorities, if an application is advanced for releasing the petitioner on parole, the Superintendent of the concerned jail will, for 7 days, release the petitioner to visit his ailing mother. In such circumstance, if the jail authorities are of the opinion that appropriate escort is required during the period of parole, necessary escort be arranged by the jail authorities. Conditions, which are to be imposed, are to be decided by the concerned Superintendent of Jail.

So far as the trial is concerned, only 3 witnesses are left. As such, within a month from the next date fixed, the prosecution will put in endeavour to complete all the 3 witnesses before the learned Trial Court.

Accordingly, CRM (M) 2 of 2026 is dismissed with the aforesaid directions.

Report submitted 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.)