

25.03.2026

Item No.28

Ct.No.35

dc.

Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (M) 103 of 2026

In Re : An Application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 corresponding to Section 439 of the Code of Criminal Procedure, 1973 filed in connection with Ratua Police Station Case No. 0181 of 2024 dated 07.04.2024 under Sections 302/307/325/447/34 of the Indian Penal Code (G.R. Case No. 864 of 2024).

And

In Re : **Abdul Mohaimin @ Mahasen**

... Petitioner.

Mr. Milon Mukherjee, Sr. Adv.,
Mr. Pritam Roy,
Ms. Tanusree Kar,
Ms. Triparna Roy

... For the Petitioner.

Mr. Sandip Chakraborty,
Mrs. Rituparna Saha

... For the State.

Mr. Mushawar Rahaman,
Mr. Biswajit Tiwari

... For the *de facto* complainant.

Learned senior advocate appearing for the petitioner submits that the petitioner is in custody for 1 year 11 months and only three witnesses out of the proposed 28 witnesses in the charge-sheet have been examined. It has also been pointed out that petitioner's prayer for bail was lastly rejected on 27.02.2025 in CRM (DB) 3379 of 2024.

Learned advocate appearing for the *de facto* complainant opposes the prayer for bail.

Learned advocate appearing for the State also opposes the prayer for bail and submits that because of act and action of the present petitioner over a dispute relating to

land, one person was murdered. The nature of the weapons which have been used are mainly stick, iron rod and axe. The earlier order reflects that one prosecution witness was partly examined. Today it has been submitted that three witnesses have been partly examined. Thus, after a period of one year, two more witnesses have been partly examined.

Having considered the pace at which the trial is progressing, I am of the view that within a reasonable period of time, there is no possibility of the trial being concluded. As such, without entering into the merits of the case, I am of the view that the petitioner, who does not have any antecedent, be released on bail on stringent conditions. As such, the prayer for bail of the petitioner is **allowed**.

Accordingly, the petitioner viz., **Abdul Mohaimin @ Mahasen** shall be released on bail upon furnishing bond of Rs.20,000/-, with two sureties of Rs.10,000/- each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Chanchal.

It is reiterated that the local surety in this case would be a person who would be submitting title deed of a property.

If on bail, the petitioner shall not enter the jurisdiction of Ratua Police Station without prior permission of the learned Trial Court.

The petitioner shall furnish his address where he would be residing before the learned Additional Chief Judicial Magistrate, Chanchal as also the learned Sessions Judge/Trial Court.

If required, learned Trial Court will impose condition to meet the Officer-in-Charge of the police station where the petitioner resides.

The petitioner shall also be physically present on each and every date so fixed by the learned Trial Court.

Report submitted by the learned advocate appearing for the State be kept with the record.

The application for bail, being CRM (M) 103 of 2026, is, thus, disposed of.

All concerned parties shall act on the server copy of this order duly 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.)