

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE, 2ND COURT, ULUBERIA,
HOWRAH**

**Present : Atrayee Manna Chowdhury, of ASJ, 2nd Court, Uluberia, Howrah
(JO Code : WB 00848)**

S.T. No.308/2012 (New S.T. No.69/2016)

CNR No.:WBHW 09-000013-2012

Order No.11, Dated 31.01.2026

Today is fixed for hearing of the bail petition dated 29.01.2026

Ld. Adv. for the accused petitioner namely, Asraful Ali Mallick @ Abu Bakkar is present.

Ld. P.P In Charge is present filing hazira.

Record is taken up for hearing.

Perused. Heard both sides.

The accused petitioner, namely Ashraful Ali Mallick @ Abu Bakkar, has moved the present application praying for release on bail in connection with Sessions Trial No. 308 of 2012, now renumbered as Sessions Trial No. 69 of 2016.

The record reveals that the accused petitioner was earlier enlarged on bail vide Order No. 22 dated 16.12.2015. Thereafter, owing to his continued absence and non-compliance with the conditions of bail, warrant of arrest was issued against him vide Order No. 27 dated 21.11.2016. While another accused, against whom warrant of arrest was pending, was subsequently extended the benefit of bail vide Order No. 43 dated 11.04.2019, the present accused petitioner did not submit to the jurisdiction of the Court for a considerable period.

Ultimately, vide Order No. 55 dated 31.03.2023, a production warrant was issued to the Burdwan Correctional Home to ensure the production of the accused petitioner. He was produced before the Court pursuant thereto vide Order No. 59 dated 06.08.2024. His prayer for bail was thereafter considered and rejected on 21.09.2024, upon due appreciation of the materials on record and the apprehension that his release would pose a serious threat to the fair conduct of the trial.

Subsequently, charge has been framed against the accused persons on 07.11.2024. The trial has commenced and, till date, one prosecution witness has been examined, whose cross-examination has been deferred on the prayer of the accused petitioner and another accused. The case is thus at a crucial and sensitive stage, where uninterrupted progress of the

Contd...P/2

trial is of paramount importance.

From the materials available on record, including the past conduct of the accused petitioner, it transpires that he has a history of abscondence after being granted bail and that several criminal cases are pending against him. Such antecedents, coupled with his earlier conduct of evading the process of law, reasonably give rise to a well-founded apprehension that, if enlarged on bail, he may again abscond or otherwise interfere with the smooth progress of the trial, thereby hampering the fair administration of justice.

In view of the aforesaid facts and circumstances, particularly the previous misuse of liberty by the accused petitioner, the stage of the trial, and the likelihood of prejudice to the prosecution case, this Court is of the considered opinion that no case for grant of bail is made out at this stage.

Accordingly, the prayer for bail stands rejected.

To date i.e., 25.02.2026.

Dictated & corrected by me.

A. S.J. 2nd Court,
Uluberia, Howrah.

Additional Sessions Judge, 2nd Court,
Uluberia, Howrah.