

In the court of Additional Sessions Judge, 1st Court, Uluberia, Howrah.
S. C. case No. 85/2026

Bagnan P.S. case No. 707/25 dated 14.11.2025, G.R No. 3114/25
Present : Anirban Chowdhury (JO Code : WB 00814)

Order No. 5, dated 03.07.2026

Today is fixed for production and hearing of bail petition.

Accused Sk. Sahil @ Sahil Mallick and Matabber Mallik have produced through video conference.

The bail petition is taken up for hearing.

Ld. Advocate appearing for the accused/petitioners submits that :-

- 1) His clients are in custody since 24.11.2025 and 01.12.2025 respectively;
- 2) They have been falsely implicated in this case
- 3) Investigation has been completed;
- 4) There is no possibility of immediate commencement of trial;
- 5) There is anomaly in the statement of the witnesses about the date of occurrence of offence and the place of occurrence;
- 6) Injury sustained by the deceased is not commensurate with the weapon of assault seized during investigation and the account of assault narrated by the witnesses;
- 7) Gap of time between the time of incident and the time of death of the deceased reveals that this is a case u/s 105 of BNSS and not one under section 103 of BNSS.

Contending thus he prayed for enlarging his clients on bail.

Perused the materials on record and CD,

Heard both sides. Considered.

Ld. P.P in-charge raises objection against the prayer for bail citing the materials collected in the CD, gravity of the offence, role of the accused persons revealed during investigation and the chance of derailing fair trial.

Considering all materials on record and CD, I find that the offence alleged is grave in nature. Incriminating materials have been collected against the accused persons. This is not the appropriate stage to dwell upon the question raised. All the more so when trial is yet to commence though the case has been committed. At this stage if they are enlarged on bail then the fair proceeding of the trial may get hampered. All the more so when the accused persons and the witnesses are residents of same area. Hence, the prayer for bail stands rejected.

Return CD.

To 13.08.2026 for production.

Let a copy of this order be sent to the Ld. A.C.J.M. Uluberia for information.

Dictated and corrected by me.

Additional Sessions Judge,
1st Court, Uluberia, Howrah.

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