

SSI Case No. 347 of 2026

Order No. 8, dated 21.05.2026

Accused Nur Islam Biswas, Halim Sk, Kutubuddin Biswas @ Kutubuddin Sk and Hasibul Mondal are produced from J/C.

Accused Jamal Sk @ Jamal Sekh, Mamlet Mondal @ Bablu Mondal, Rubel Mondal @ Bachhu and Mojibar Mondal @ Khuku on bail are present.

Today is fixed for hearing the bail petition filed by accused Nur Islam Biswas, Kutubuddin Biswas @ Kutubuddin Sk and Hasibul Mondal and also by accused Halim Sk along with consideration of charge.

Learned defence counsel and the learned PP in-charge attached to this court are present and E-mail print is produced where it is stated that learned Special Prosecutor is engaged for conducting the prosecution in a Session case before learned Fast Track Court, Nadia at Kalyani. Prayer for time is made.

It is found that the bail petitions were filed by the accused persons on 08.05.2026 after commitment of the case to this court and the bail petitions are still pending for hearing. On 08.05.2026, the bail petitions could not be heard as the learned PP in-charge attached to this court was not equipped with CD. Therefore, 15.05.2026 was fixed for hearing bail petitions. On 15.05.2026, a plea of non-availability of CD was again raised by the prosecution and the matter was adjourned to 18.05.2026. On 18.05.2026, the learned PP in-charge attached to this court submitted that OC, Nawda PS submitted a prayer stating that the Special Prosecutor appointed in this case was not in a position to appear on that day and therefore, the matter was fixed for hearing the bail petitions this day.

It is found that the learned Special Prosecutor was appointed on 10.07.2025 by DIG (Legal), West Bengal but since after commitment of the case to this court on 02.04.2026, the learned Special Prosecutor never appeared though it appears from the communication of the learned Special Prosecutor conveyed to this court by OC Nawda PS that the learned Special Prosecutor has the notice of the date fixed for hearing bail petitions.

The Law of the Land requires expeditious hearing of the bail petition of the accused persons in custody but in this case hearing of the bail petitions is being deferred on one or other grounds from the side of the prosecution. Right of the accused persons in custody to move bail petition cannot be at the pleasure of the prosecution.

Learned advocates for the accused persons submit that the accused persons are languishing in custody and due to laxity of prosecution, they are unable to move the bail petitions.

In order to hear and dispose of the bail petitions, propriety demands the hearing of the prosecution.

In view of the submissions of the learned advocates for the accused persons and the circumstances appearing on record, hearing of the bail petitions is deferred to 01.06.2026 due to intervention by Summer vacation.

It is expected that both sides will come ready on the date fixed to participate in the hearing of the bail petitions.

Accused in J/C are remanded to J/C till 01.06.2026.

To date (01.06.2026) for production, appearance and hearing of the bail petition.

Copy of this order be sent to DIG (Legal), WB and Legal Remembrancer of West Bengal.

Dictated & corrected by me

Addl. Sessn. Judge, 3rd Court

Additional Sessions Judge, 3rd Court,
Berhampore, Murshidabad
(J.O. Code : WB00706)