

Crl. Misc. Case No.667 of 2026

Present : Smt. Sangita Dutta

Sessions Judge, Malda. (*In-charge*)

Order No.02 dated 11-03-2026

This is an application u/s 439 of Cr.P.C. filed on behalf of the present accused-petitioners namely, 1. Nurshed Sk @ Md.Nurshed Ali, 2. Firoj Sk @ Md. Firoj Ali, 3. Nabidul Sk @ Nabidul Islam, 4. Alam Sk @ Md. Jahangir Alam, 5. Karim Sk @ Karim in connection with Kaliachak P.S. Case No.1285/2022 dated 07.11.2022 under Sections 341/323/325/308//34 of IPC . The said application is taken up for hearing.

Before proceeding with hearing the said application, this Court specific queried from the Ld. Advocate representing the present accused-petitioners as to whether any other similar application is pending in either the Hon'ble Court, Calcutta or in the Hon'ble Supreme Court. This Court further queried there has been any earlier rejection of any application for bail in an earlier occasion by the Hon'ble High Court or the Hon'ble Supreme Court.

The Ld. District P.P. as well as the Ld. Advocate representing the present accused-petitioners submitted that no such application is pending and/or there is no order of rejection from either the Hon'ble High Court, Calcutta or the Hon'ble Supreme Court.

The Ld. Advocate representing the present accused-petitioners submits that the accused-petitioners herein are innocent and they have been falsely implicated in the instant case. They have no nexus with the offence as alleged. He, therefore, prays for bail in respect of the present accused-petitioners on any condition.

The learned District P.P. submits that the instant case is indeed a serious one and allowing the prayer for bail would highly prejudice the prosecution. He, therefore, prays for rejection of the prayer for bail.

Upon perusal of the CD and LCR it appears that in the instant case the accused-petitioners are languishing in custody since 30.01.2026 after surrender. Charge-sheet has already been submitted in this case on 31.08.2023. Some of the charge sheeted accused persons are on bail. The period of detention is substantial. So, I do not find any effective purpose would be served by their continuance in custody,. Hence, the prayer for bail is allowed.

Hence, it is,

O R D E R E D

that present accused-petitioners No.1. Nurshed Sk @ Md. Nurshed Ali, 2. Firoj Sk @ Md. Firoj Ali, 3. Nabidul Sk @ Nabidul Islam, 4. Alam Sk @ Md. Jahangir Alam, 5. Karim Sk @ Karim shall be released on furnishing bail bond of **Rs.10,000/-each with two sureties of Rs.5,000/-each, out of whom one must be local**, subject to satisfaction of the Learned C.J.M, Malda.

Return the L.C.R and the C.D.

The Crl. Misc. Case is thus disposed of.

Dictated & Corrected by me,

Sessions Judge, Malda. (I/C)

Sessions Judge, Malda. (I/C)