

Spl 14/2024
Present : Smt. Sanghamitra Podder
Judge, Special Court,
3rd Court, Malda(JO Code-WB00855)

Order No. 44 dated 25-06-2025

Today is fixed for production and ER of WPA against accused Multan Sk.

Bail petition is filed by accused Amirul @ Amiul Sk., Rubel Sk., Tahir Sk., Biyul @ Biol Sk. and Md. Mohobul Hoque.

Ld. Defence Counsel and Ld. PP is present.

Bail petition is filed by above named accused are taken up for hearing.

Ld. Defence Counsel submits that CS has not been submitted in this case and the statutory period of custodial detention is over and the accused entitled to be enlarged on bail on any condition.

Ld. PP strongly objection prayer of bail and submitted that further investigation is in progress in compliance with direction of Hon'ble Court and an application u/s 483 of BNSS is pending before the Hon'ble Court.

Having heard both sides I perused the case record and considered the same.

After perusal of this record it appears that Hon'ble Court has been pleased to direct further investigation of this case under the supervision of DGP, CID West Bengal with the observation that previous investigation smacks collusion and divulges a probable effort of screening offenders vide order dated 04-11-2024 passed in CRM (A) 3744 of 2024. Thus, the question of default bail does not arise as CS has been submitted by the IO and as per direction of Hon'ble Court further investigation is in progress. Considering the facts and circumstances in this case I do not think it to be a fit case to enlarge the accused person on bail as further investigation is in progress.

It is admitted position that prayer of bail of the accused person namely Amirul @ Amiul Sk. was rejected by the Hon'ble Court. In view of such I find that allowing bail application would not only be against judicial discipline and propriety but also against statutory principles of law. Considering the nature and gravity of the offence and in the light of the aforesaid discussion, I am not inclined to allow the prayer of bail.

In the circumstances, bail prayer of the accused persons namely Amirul @ Amiul Sk., Rubel Sk., Tahir Sk., Biyul @ Biol Sk. and Md. Mohobul Hoque is **rejected and disposed of**.

Fix **31-07-2025** for production and ER of WPA against accused Multan Sk.

D/C by me.

***Judge, Special Court,
ADJ 3rd Court, Malda***

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