

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

Order No. 45 dated 14-07-2025

Record is put up today on the prayer of accused Rubel Sk.

Ld. Defence Counsel and Ld. PP is present.

Bail petition is filed by accused Rubel Sk. is taken up for hearing.

Ld. Defence Counsel submits that the accused is completely innocence. He is not the principle accused in this case. Moreover at the time of alleged incident he was at Manipur and thus 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, 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 Rubel 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 person namely Rubel Sk is **rejected and disposed of.**

Fix to date i.e on **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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