

CIS-262/2016
ST-01(08)2016
SC-01(07)2016
(J.O.Code-WB00875)

Order No. 144

Dated: 09.09.2025.

Today is fixed for production of accused Israfil Laskar, appearance of 12 accused persons on Court bail, hearing of bail petition and consideration of charge.

Accused Israfil Laskar is physically produced from JC and he is represented by his Ld. Counsel.

Six accused persons on Court bail are present by filing hazira.

Rest six accused persons on Court bail are absent by filing petition.

Hazira filed by Ld. PP in charge namely Sri Dulal Chandra Dolai.

CD is produced.

Both sides are present.

The case record is taken up for hearing of bail petition filed for accused.

Heard both sides.

At the very outset, Ld. Defence Counsel representing the accused Israfil Laskar submits that no bail petition u/s 439 Cr.PC in respect of this accused is either pending or rejected by any upper forum. It is submitted that he has no knowledge whether any bail petition u/s 438 Cr.PC was ever filed before any upper forum or rejected.

Ld. Advocate for the accused person submits that this accused is FIR named and is 65 years old and is in JC since 04.07.2025. The statement of Jahangir Bhangi shows that this accused has no nexus with the alleged offence. The co accused are already on bail. The petitioner has been falsely entangled in the present case and hence is the present application praying for bail.

Ld. P.P. in-charge namely Sri Dulal Chandra Dolai did not produce any document or did not put any submission to the effect that any bail petition u/s 438 Cr.PC in respect of this accused was either filed before any upper forum or rejected in connection with this case. It is submitted that PW-2 is the eye witness who has specifically disclosed the name of the accused persons involved in the offence and from there the name of this accused transpires. Hence, he prays for rejection of the bail prayer.

Heard both sides. Perused the available materials in hand including the C.D.

It appears that the co accused persons have been granted bail by the Hon'ble Court.

Considering all aspects as well as materials in hand and considering the period of detention undergone by this accused, age of the accused as well as nature of alleged offence, it appears that this accused is similarly circumstanced with the co accused persons who are on Court bail and as such he deserves the same benefit. That apart there is no immediate chance of conclusion of trial in the instant case as there are many other accused is WPA are still pending.

As such, I am inclined to grant bail to accused person namely Israfil Laskar.

The bail petition filed is thus allowed.

The accused Israfil Laskar may find bail of Rs. 20,000/- with two registered sureties of Rs. 10,000/- each, one of whom must be local subject to satisfaction of Ld. ACJM, Kakdwip and on condition that while on bail he would not enter into the jurisdiction of Dholahat PS and furnish the address where he shall reside, before this Court as well as before IO and the Officer-in-charge of the PS under whose jurisdiction he shall reside. He would also cooperate in the trial of this case and shall appear before this Court on dates fixed subject to provision of Section 317 Cr.PC. He shall also not try to tamper with evidence in any manner whatsoever, failing which necessary order shall be passed.

If on bail to date for appearance.

Time prayers are allowed.

Return C.D.

Court diary is congested.

Fix 23.02.2026 for physical production/appearance and consideration of charge.

Let a copy of this order be sent to the Ld. ACJM, Kakdwip for information and taking necessary action.

Dict. & Corr. by me

Additional Sessions Judge, 1st Court
Kakdwip, South 24 Parganas.

Additional Sessions Judge, 1st Court
Kakdwip, South 24 Parganas.