

Case No. : **Sessions - 204 of 2023**

CNR NO : WBUD05 001484 2023

(Present : Sri Nilanjan De, ADJ, FTC-II, JO Code : WB00716)

Order No. **14**

Dated: **13.05.2024**

The record is put up on the bail petition of the accused **Md. Najish Ahsan** on the ground of his medical treatment and **Tousif @ Rajbabu @ Tausif Reza @ Md. Tausif Reza** on the ground of his business.

Copy of the bail petitions supplied to the Ld. P.P. **Mukhtar Ahmed** who raise strong objection against the bail petitions stating that the bail petitions of Md. Najish Ahsan was rejected by the Hon'ble High Court, and the other accused is also directly involved in the offense. He admitted that out of 18 accused persons six accused are on Court bail but the rest are in judicial custody. He argued that it is case of organized crime and several arms were seized. Two iron made fire arms has been seized with cartridge. The charge of this case is yet to be framed and considering the bail petition at this stage we delay the proceeding.

The Ld. Advocate on behalf of the accused persons submitted that this is actually a case of political rivalry and this accused persons are falsely tagged in this case, the Charge sheets is politically motivated and in case of bail they will face the trial. The other accused persons on same footing are on bail. The accused **Md. Najish Ahsan** is under treatment and there is no scope of his absconding.

Peruse the LCR and the relevant documents it appears that the incident was started with a minor motorcycle accident at Madina Chowk under PS Goalpokher and on that issue the above accused persons gathered with the other accused carrying fire arms in their hand and they used it in out of that crime. The victim Arif Alam was died. There are gunshot injuries over the other victims and after investigation several particles including the offending weapons are seized. The IO submitted the charge sheet u/s 147/148/149/326/307/302/506/34 IPC alongwith 25 (1A)/ 27/35 Arms act against 18 witnesses. There are as many as 46 CS witnesses and considering the offense the bails petition of the above accused persons are **rejected** at this initial stage.

Todate.

Addl. Dist. & Sess Judge
FTC-II, Islampur , U/Dinajpur
J.O Code: WB00716