

CRA 81 of 2021
with
IA No. CRAN 3 of 2026

In re: An application for suspension of sentence under Section 389 (1) of the Code of Criminal Procedure/under Section 430 (1) of the BNSS filed on 09.03.2026.

- A n d -

In the matter of : Habibur Rahaman @ Habu

.... Appellant.

Mrs. Minoti Gomes,

... For the appellant.

Mr. Suman De,

Mr. K. Ganguly,

.... For the State.

Dictated by Arijit Banerjee, J:-
Re : IA No. CRAN 3 of 2026

1. Service report filed by the State be kept with the records.
In spite of service nobody appears for the victim girls/defacto complainant.
2. The petitioner renews his prayer for bail which was rejected earlier by a Coordinate Bench on merits on April 4, 2022.
3. In view of the aforesaid, we do not see any reason to revisit the issue.
4. CRAN 3 of 2026 stands dismissed.
5. All observations made in this order are *prima facie* and only for the purpose of disposing of this application for suspension of sentence and the same shall have no bearing on the hearing of the appeal.
6. Section is directed to supply urgent photostat certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

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7. We see that the petitioner is in custody for about 6 years 11 months. He was sentenced to suffer imprisonment for life.
8. List the appeal for final hearing on May 12, 2026 marked 3.00 p.m.

(Apurba Sinha Ray, J.)**(Arijit Banerjee, J.)**