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**CRA 612 of 2018
with
IA No. CRAN 1 of 2018
(Old No. CRAN 3456 of 2018)
with
CRA 632 of 2018
with
IA No. CRAN 1 of 2019
(Old No. CRAN 343 of 2019)**

In re: An application for bail under Section 389 of the Code of Criminal Procedure, 1973 filed under CRAN 1 of 2018 in connection with CRA 612 of 2018 and CRAN 1 of 2019 in connection with CRA 632 of 2018.

**In the matter of: Khairul Harun Laskar alias
Khairul Hassan Laskar alias
Khairul Laskar
and**

In the matter of: Noor Islam Fakir @ Khora Badshah

Mr. Arindam Sen	
Mr. Saurav Basu	 For the Appellant in CRA 612 of 2018
Mr. Soubhik Mitter	
Ms. Aindrila De	 For the Appellant in CRA 632 of 2018
Mr. Neguive Ahmed	
Ms. Zareen N. Khan	
Ms. Trina Mitra	 For the State in Both the Appeals

This is an application for suspension of sentence and grant of bail in connection with an appeal (CRA 612 of 2018) preferred by the appellant against the judgment and order of conviction and sentence dated 27.9.2018 passed by the learned Additional Sessions Judge, 6th Court, Alipore, South 24 Parganas, in Sessions Trial No. 02(03) of 2013 corresponding to Sessions Case No. 09(03) of 2012 arising out of Usthi P.S Case No. 274 of 2011 dated 14th December, 2011 under Sections 273/304(Part-I) of the Indian Penal Code and in connection with an appeal (CRA 632 of 2018) preferred by the appellant against the judgment and order

dated 27.9.2018 and 28.9.2018 passed by the learned Additional Sessions Judge, 6th Court, Alipore, South 24 Parganas in Sessions Trial No. 02(03) and Sessions Case No. 09(03) of 2012 arising out of Usthi P.S Case No. 274 dated 14th December, 2011 under Sections 273/304/326/328 of the Indian Penal Code.

Hundred people were affected due to consumption of poisonous liquor, which alleged to have been manufactured by Khora Badsha and distributed through his associates, namely, Nazrul Laskar @ Kalo, Dukhe Laskar and Khairul Harun Laskar. In this tragedy some of the affected persons were permanently blind and lost their lives, which was revealed from the clear finding of the trial Court.

The involvement of the appellants, in these appeals, appears to have been prima facie proved by P.W 34 and they are in custody from 14th December, 2011.

In view of the above, considering the nature and gravity of the offence we feel that this is not a fit case for suspension of sentence of the appellants and to release them on bail at this stage.

CRAN 1 of 2018 and CRAN 1 of 2019 are accordingly disposed of.

We have been informed by the parties that the paper books in both the appeals have not yet been prepared.

It appears from the order dated 29th March, 2019 in connection with CRA 632 of 2018 that lower court records be positively filed before this court on the next date of hearing i.e. two weeks from 29th March, 2019.

The department is directed to explain for non-preparation of the paper books in both the appeals.

In the event the lower court records are received, paper books should be prepared and filed on or before 28th September, 2021 when the matter will appear under the heading "Hearing".

(Rabindranath Samanta,J)

(Soumen Sen,J.)