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CRR 5595 of 2025

**Alok Prabhu @ Alay Gobinda Das @
Alak Kumar Sarkar @ Alope Kumar Sarkar
Vs.
The State of West Bengal & Anr.**

Mr. Sekhar Kr. Basu, Sr. Adv.
Mr. Rajdeep Mazumder, Sr. Adv.
Mr. Abir Ranjan Neogi
Mr. Moyukh Mukherjee
Mr. Karan Bapuli ...for the Petitioner

Mr. Sabyasachi Banerjee, Sr. Adv.
Mr. Prabir Adhya ...for the O.P. no. 2

Mr. Sandipan Ganguly, Sr. Adv.
Mr. Saryati Dutta ...for the State

Being aggrieved and dissatisfied with the order dated 8.12.2025 passed in connection with Sessions case no. 94 of 2022 arising out of Nabadwip Police station case no. 46 of 2021 under Sections 302 of the Indian Penal Code, the present application has been preferred by the petitioner.

The petitioner's grievance is that even after filing of the charge-sheet after third round of investigation, his name did not transpire. Subsequently, the prosecution sought for jail interrogation of the principal accused, Samir Halder and thereafter on interrogation name another accused transpired from whom the name of the present petitioner has been transpired and accordingly charge-sheet submitted against him. The petitioner made a prayer before court below for discharge. However, by the impugned order, learned court below rejected the petitioner's prayer.

Having heard learned counsel for the petitioner, the application is admitted.

Petitioner is directed to serve a copy of the application upon the learned counsel for the opposite party no. 2 as well as learned counsel for the State in course of the day.

Let the matter appear on 24th February, 2026 at 3 P.M. under the same heading.

State is directed to produce the case diary on the date fixed.

(Dr. Ajoy Kumar Mukherjee, J.)