



**IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPEAL NO.2271 OF 2025
(Arising out of S.L.P.(Criminal) No.3624 of 2025)**

MAINUDDIN SK @ MAINU . . . APPELLANT(S)

VS.

CENTRAL BUREAU OF INVESTIGATION . . . RESPONDENT(S)

O R D E R

Leave granted.

Heard the learned senior counsel appearing for the appellant and the learned Additional Solicitor General appearing for the respondent-CBI.

The allegation against the appellant is of commission of the offences punishable under Sections 302 and 201 read with Section 34 of the Indian Penal Code, 1860 (for short, "the IPC") . This is a case of post poll violence. The appellant is in custody for the last 3 years and 10 months. Though 103 witnesses have been cited, the learned Additional Solicitor General states that only 35 or more may be examined. Till date, only 4 witnesses have been examined.

The case arises out of confrontation between the workers of two political parties immediately after poll of local bodies in the year 2021.

It is pointed out that in the year 2018, there were two cases registered against the appellant. In one case, Section 307 of the IPC has been applied. In other case, Sections 353, 506 read with 34 of the IPC have been applied. In both the cases, the appellant is on bail.

Our attention is invited to Annexure R-10 of the counter affidavit. The allegation made by the witnesses is not against the appellant.

Considering the fact that the trial is likely to take a long time and that the appellant has undergone incarceration for a period of about 3 years and 10 months, a case is made out to enlarge the appellant on bail on stringent terms and conditions.

Accordingly, we direct that the appellant shall be produced before the Trial Court within a maximum period of one week from today. The Trial Court shall enlarge the appellant on bail after hearing the counsel for the respondent on stringent terms and conditions including the condition of regularly and punctually attending the Trial Court and cooperating with the Trial Court for early disposal of the case.

The appeal is accordingly allowed.

.....J.
(ABHAY S.OKA)

.....J.
(UJJAL BHUYAN)

NEW DELHI;
April 28, 2025.

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No(s). 3624/2025

[Arising out of impugned final judgment and order dated 14-02-2025 in CRM(DB) No. 3693/2024 passed by the High Court at Calcutta]

MAINUDDIN SK @ MAINU

Petitioner(s)

VERSUS

CENTRAL BUREAU OF INVESTIGATION

Respondent(s)

(IA No. 60663/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 28-04-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE UJJAL BHUYAN

For Petitioner(s) :

Mr. Sanjay R Hegde, Sr. Adv.
Mr. Sabir Ahmed, Adv.
Mr. Dibyadyuti Banerjee, Adv.
Mr. Abdur Rakib, Adv.
Ms. Sumedha Halder, Adv.
Mr. Abhijit Sengupta, AOR
Mr. Paras Chauhan, Adv.

For Respondent(s) :

Mr. Raja Thakare, A.S.G.
Mr. Mukesh Kumar Maroria, AOR
Mr. Udit Dedhiya, Adv.
Mr. Advitiya Awasthi, Adv.
Mr. Jagdish Chandra, Adv.
Mr. Rohit Khare, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Leave granted.

The appeal is allowed in terms of the signed order.

The appellant shall be produced before the Trial Court within a maximum period of one week from today. The Trial Court shall enlarge the appellant on bail after hearing the counsel for the respondent on stringent terms and conditions including the condition of regularly and punctually attending the Trial Court and cooperating with the Trial Court for early disposal of the case.

Pending application also stand disposed of.

(ANITA MALHOTRA)
AR-CUM-PS

(AVGV RAMU)
COURT MASTER

(Signed order is placed on the file.)