

27.03.2025
Item no. 37.
Court No.29.
AB
(Rejected)

CRM (DB) 316 of 2025

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Nabagram P.S. Case No.121 of 2024 Dated 18.03.2024 under Sections 341 325/302/34 of the Indian Penal Code

And

In the matter of : Ajhar Sk. @ Ajahar Sk.

.....Petitioner.

Mr. Sabir Ahmed,
Mr. N. S. Ghosh,
Mr. Somnath Adhikaryfor the Petitioner.

Mr. Soumik Gangulyfor the State.

Dictated by Apurba Sinha Ray, J.

1. Learned Counsel for the petitioner has submitted that the present petitioner is in custody for about nine months. Investigation is complete and there is no chance of an early conclusion of the trial since there are 21 charge sheet named witnesses. Learned Counsel has also pointed out that there was only one blow upon the victim as per the post mortem report. The petitioner did not assault the victim at the relevant point of time. However, he submitted that the petitioner may be enlarged on bail on any condition as may be imposed on him.
2. Learned Counsel for the State opposes the bail prayer. According to him, there are sufficient incriminating materials on record. He has drawn our attention to the statements of the witnesses recorded under Section 183 B.N.S.S. 2023. Learned Counsel for the State has also

drawn our attention to the post mortem report. Learned Counsel has further submitted that three accused persons are still absconding.

3. We have considered the materials on record. There are sufficient incriminating materials against the present petitioner. One of the eyewitnesses has specifically implicated the petitioner along with others. His statement was recorded under Section 183 B.N.S.S. 2023. The post mortem report shows that there were multiple injuries sustained by the victim. Furthermore, three accused persons are still absconding. Charge is yet to be framed.
4. In view of the aforesaid, we are not inclined to allow the petitioner's prayer for bail, at this stage.
5. The prayer for bail is rejected.
6. CRM (DB) 316 of 2025 is dismissed.
7. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)

