

CRM (DB) 355 of 2025

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of the Bhartiya Nagarik Suraksha Sanhita in connection with Santipur Police Station Case No.1049 of 2024 dated 07-08-2024 under Section 309(4) of the Bharatiya Nyaya Sanhita and adding Section 310(2)/317(3)/61(2) of the Bharatiya Nyaya Sanhita and Sections 25/27 of the Arms Act.

- A n d -

In the matter of : Md. Chand

.... Petitioner.

Ms. Sananda Bhattacharyya

... For the Petitioner.

Mr. Bibaswan Bhattacharya,

Mr. Asif Dewan

... For the State.

Dictated by Arijit Banerjee, J.

1. The petitioner says that he is similarly circumstanced as two other accused persons by the name of Sohail Khan and Nausad Ali, who have been granted bail by this Court. He says that he has been in custody for 174 days. Investigation is complete. His further custodial detention is unnecessary.

2. Learned State advocate points out that this petitioner does not stand on the same footing as the aforesaid two persons who have been granted bail. There was recovery of portion of the booty from this petitioner while there was no recovery from the other accused persons who were granted bail. The petitioner not only committed dacoity, he pledged

the looted gold ornaments and obtained loan thereagainst. He has three other criminal cases pending against him.

3. We, therefore, see that this petitioner is not similarly circumstanced as the accused persons who have been granted bail. He also has criminal antecedents. We are not inclined to entertain his prayer for bail, at this stage.

4. The application for bail is, thus, **dismissed**.

5. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

6. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)