

02.04.2025

Item No.46

Ct.No.34

rc.

Reject

C.R.M. (DB) 505 of 2025

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure read with Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Bhagwangola Police Station Case No. 421 of 2024 dated 16.08.2024 under Sections 329(4)/103(1)/61/3(5) of the Bharatiya Nyay Sanhita and Sections 25(1A)/27(3) of the Arms Act.

And

In Re : **Sanarul Sk. Alias Sonarul Sk.**

... Petitioner

Mr. Kusal Kumar Mukherjee

Mr. Narattam Acharyya

... for the Petitioner

Mr. Tapodip Gupta

...for the Defacto Complainant

Ms. Baisali Basu

Mr. Subham Bhakat

...for the State

Learned counsel for the petitioner submits that the petitioner is in custody for about 250 days. The principal accused who shot the victim thereby causing his death is one Golam Seikh and the role of the petitioner cannot be equated with that of the principal accused. The case is yet to be committed. The petitioner prays for bail.

Opposing the prayer, learned counsel for the State refers to the postmortem report of the victim and the statement of the witnesses recorded under Section 164/161 of the Code of Criminal Procedure which specifically implicate the petitioner.

I have considered the material on record.

The injuries stated in the postmortem report support the prosecution case. The petitioner has been named by witnesses as one of the assailants.

Prayer for bail of a co-accused similarly circumstanced with the petitioner has been turned down by this Court earlier.

Upon consideration of the material available in the Case Diary this Court is not inclined to release the petitioner on bail at this stage.

Accordingly, the petitioner's prayer for bail is rejected at this stage.

Case Diary is returned.

The application being CRM (DB) No. 505 of 2025 is disposed of.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)