

April 02, 2025

56 ARDR

(Rejected)

CRM(DB) 538 of 2025

In Re : An Application for bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with **Nimta** Police Station Case No. 175 of 2024 dated 30/6/2024 under Sections 341/324/326/307/34 of the Indian Penal Code and Sections 25/27 of the Arms Act.

And

In Re : Sk. Farukh Ahmed

... Petitioner.

Sr. Adv. Saswata Gopal Mukherjee,
Adv. Saryati Datta,
Adv. Sudeshna Chanda,

... for the petitioner.

Adv. Rana Mukherjee,
Adv. Md. Kutubuddin,,

... for the State.

Report submitted by the State is taken on record.

The petitioner is in custody for about six months and prays for bail on the ground that he has been falsely implicated and the bullet injury that was found in the person of the victim was inflicted by a gun used by the wife of the defacto complainant. Only one bullet was found to have been released from the gun. A bullet mark was also found in the scooty which the petitioner was riding. The petitioner has no criminal antecedent and shall not abscond if released on bail.

Learned counsel for the State opposes the prayer for bail.

It appears from the Case Diary that the victim sustained gunshot injury and the gun was recovered from the place of occurrence where the scooty ridden by the petitioner was also found. The witnesses' examination under Section 161 of the Code of Criminal Procedure implicated the petitioner in the offence alleged.

Charges have been framed. Witness action is about to commence.

Considering the stage of the trial as well as material available in the Case Diary, this Court is not inclined to release the petitioner at this stage.

Accordingly, the prayer for bail is rejected.

Case Diary be returned.

The application for bail 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.)