

April 10, 2025

81 ARDR

(Rejected)

CRM(DB) 615 of 2025

In Re : An Application for bail under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023 filed in connection with
Palashipara Police Station Case No. 264 of 2024 dated 26/5/2024
under Sections 341/302/120B/34 of the Indian Penal Code.

And

In Re : Mintu Kazi@ Mintu Kaji

... Petitioner.

Adv. Minoti Gomes,
Adv. Debraj Shil,

... for the petitioner.

Adv. Amanul Islam,
Adv. Sourav Mukherjee,

...for the defacto complainant.

Adv. Subhasree Patel,
Adv. Asraf Mondal,

... for the State.

Learned counsel for the petitioner submits that the petitioner
is in custody for 252 days and is not the principal assailant. Besides
the fact that co-accused who has been granted bail earlier is a lady,
the petitioner stands on the same footing.

Learned counsel for the State refers to the statements of
witnesses under Sections 161/164 of the Code of Criminal
Procedure as well as postmortem report of the victim and opposes
the prayer.

Learned counsel for the defacto complainant opposes the
prayer.

I have considered the material on record. The allegation is
that the victim was dragged to the house of accused Ejarul and was
tied to a tree and assaulted by all the accused persons including the
petitioner. The postmortem report of the victim supports such
statement.

Considering the material on record directly connecting the petitioner to the alleged offence, prayer for bail is rejected at this stage.

The application for bail is disposed of.

Case Diary be returned.

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

(Suvra Ghosh, J.)