

**27**  
**20.05.2025**  
Ct.No.34  
b.das  
**Rejected**

**C.R.M. (DB) 1000 of 2025**

In Re : An application for bail under Section 483 of BNSS, 2023 filed in connection with Barasat Police Station Case No.333 of 2024 dated 10.06.2024 under Section 363/365 of the Indian Penal Code and charge sheet submitted under Section 363/365 adding Section 302/201 of the Indian Penal Code.

And

In Re : **Enger Nabi** ... Petitioner.

Mr. Angshuman Chakraborty  
Mr. S. S. Saha ... for the petitioner.

Ms. Anasuya Sinha  
Ms. Chandreyi Dutta ... for the State.

Mr. Soumyajit Das Mahapatra  
Ms. Marry Datta ...for the de facto complainant.

Heard learned counsels for the parties.

The petitioner is in custody for about a year.

Learned counsel for the petitioner submits that the case rests on circumstantial evidence and there is no direct evidence connecting the petitioner to the murder. The petitioner was last seen together with the victim 4 days prior to recovery of his dead body.

Learned counsels for the State and the de facto complaint oppose the prayer.

I have considered the material on record. An eleven year old child was murdered and his decomposed body found. The petitioner was last seen together with the victim on 9<sup>th</sup> June, 2024, the date from which the victim was missing. A pink coloured cloth which was allegedly used to

strangulate was found besides the victim's body. The petitioner's wearing apparel and a bag recovered at the instance of the petitioner were sent for FSL examination. The FSL report prima facie connects the said articles with the murder. In fact, a portion of the pink cloth was found in the pocket of the petitioner's wearing apparel and matched with the cloth.

Considering the gravity of the offence and prima facie involvement of the petitioner therein, prayer for bail is rejected at this stage.

It is made clear that the observations made in this order is purely for the purpose of consideration of the bail application and shall have no bearing on the merits of the case. The learned trial Court shall be at liberty to deal with the case independently without being influenced by any observation made in this order.

The application for bail is thus disposed of.

Case diary be returned.

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

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

**(Suvra Ghosh, J.)**