

August 19, 2025

12 ARDR
(Rejected)

CRM (DB) 1076 of 2025

In Re : An Application for bail under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023 filed in connection with **Barasat
GRPS** Case No. **18/2024** dated **20/11/2024** under Sections
103(1)/303(2) of the Indian Penal Code.

And

In Re : Najimuddin Molla

... Petitioner.

Adv. Sumanta Chakraborty,
Adv. Dhimoyee Kundu,

... for the petitioner.

Adv. Bibaswan Bhattacharya,
Adv. Afreen Begum,

...for the State.

Learned counsel for the petitioner submits that the petitioner is in custody from November, 2024. The case is based on circumstantial evidence. The petitioner was arrested from Howrah station when he was about to board the train to Surat. He is a migrant labour and has no nexus with the alleged offence. A false story has been cooked up by the prosecution that the petitioner had a love relationship with the daughter of the deceased and since the deceased did not accept the said relationship, the petitioner murdered him. The petitioner prays for bail.

Learned counsel for the State opposes the prayer.

I have considered the material on record.

It appears from the statement of the witnesses that the petitioner was found loitering at the place of occurrence immediately before the alleged incident. The statement of the victim's daughter recorded under Section 164 of the Code of Criminal Procedure indicates that the victim told his daughter on his way to the hospital that the petitioner had murdered him. The offending weapon has been recovered at the instance of the petitioner.

Considering the material on record, gravity of the offence and prima facie involvement of the petitioner therein, the 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.)