

19.06.2025

Item No.18

Ct.No.34

rc.

C.R.M. (DB) 1092 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 Kulti Police Station Case No. 562 of 2023 dated 11.10.2023 under Sections 302/201/304/120B of the Indian Penal Code and under Sections 25(1B)/27/35 of the Arms Act.

And

In Re : **Md. Samim @ Md. Shamim**

... Petitioner

Mr. Ayan Basu

Mr. Sk. Salim

Mr. Sumit Routh

... for the Petitioner

Mr. Rudradipta Nandi

Ms. Sonali Bhar

....for the State

Memo of evidence submitted by the State is taken on record.

Heard learned counsels for the parties.

Petitioner is in custody for more than a year and prays for bail.

Learned counsel for the petitioner submits that the petitioner has not been placed in Test Identification Parade. The scooty connected to the crime was recovered from an open place following the statement of a co-accused. The owner of the scooty has stated that he had mortgaged the scooty to the petitioner in lieu of consideration. No document with regard to the said mortgage has been seized.

Learned counsel for the State opposes the prayer.

I have perused the material on record.

It appears that the petitioner took loan from the victim and failed to repay the same despite several reminders. The petitioner called the victim to a marriage hall booked by him and thereafter the victim was murdered.

Trial is in progress. Nine out of twenty-six witnesses have been examined so far.

Considering the material on record prima facie connecting the petitioner to the alleged crime, prayer for bail is rejected at this stage.

The learned trial Court is directed to expedite the trial without granting any unnecessary adjournment to either of the parties.

The bail application is disposed of.

Case Diary is 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.)