

May 02, 2025
29 ARDR
(Rejected)

CRM (M) 228 of 2025

In Re : An Application for bail under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023 filed in connection with
Illambazar Police Station Case No. **227** of **2023** dated **31/10/2023**
under Sections **302** of the Indian Penal Code.

And

In Re : Sk Nur Alam

... Petitioner.

Adv. Joy Chakraborty,
Adv. Ipsita Ghosh,

... for the petitioner.

Adv. Biswajit Hazra,
Adv. Archisman Sain,

...for the defacto complainant.

Adv. Ranabir Roy Chowdhury,
Adv. Diksha Ghosh,

... for the State.

The petitioner is in custody for more than a year and renews his
prayer for bail.

Learned counsel for the petitioner submits that mobile phone and
the blood stained wearing apparels of the victim allegedly seized from
the petitioner's house may have been sent for forensic examination, but
reports are still awaited. The said articles cannot be connected to the
petitioner. The case is based on circumstantial evidence and chances of
completion of trial in near future is remote.

Learned counsel for the State opposes the prayer and submits
that the victim was called by the petitioner over telephone and was last
seen together with the petitioner immediately prior to the alleged
incident. The articles belonging to the deceased as well as his mobile
phone was recovered pursuant to the leading statement of the
petitioner. Reports are awaited. Out of 22 witnesses, 5 witnesses have
been examined.

Allegation against the petitioner is extremely grave. Considering
the *prima facie* involvement of the petitioner in the alleged offence and

also the fact that conviction, if any, shall attract mandatory life imprisonment, 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.)