

June 18, 2025
23 ARDR
(Rejected)

CRM (M) 304 of 2025

In Re : An Application for bail under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023 filed in connection with **Nanoor**
Police Station Case No. **99** of **2024** dated **08/5/2024** under
Sections **302** of the Indian Penal Code.

And

In Re : Miron Sk

... Petitioner.

Adv. Sabir Ahmed,
Adv. Ayan Chakraborty,
Adv. Sohini Mukherjee,

... for the petitioner.

Adv. Sandip Chakraborty,
Adv. Asif Dewan,

...for the State.

The petitioner is in custody for about a year and renews his
prayer.

Learned counsel for the petitioner points out contradictions in
the FIR and the statement of witnesses. Though the witnesses have
stated that the victim was assaulted with bamboo stick, the FIR is
silent with regard to the bamboo stick and speaks about fist and
blows. The injury report of the victim also talks about assault by fist
and blows by the petitioner. No external injury was found by the
doctor who initially examined the victim. The incident occurred at
the spur of moment and there was no pre-meditation on the part of
the petitioner to kill the victim.

Learned counsel for the State opposes the prayer.

I have perused the material on record.

It is a fact that the FIR does not talk about any bamboo stick
as a weapon of assault. However, the eye witnesses have stated that
the petitioner assaulted the victim with a bamboo stick. The

postmortem report demonstrates multiple fractures in the person of the victim. The trial has commenced.

Considering the material on record and prima facie involvement of the petitioner in the alleged crime, 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.)