

21.05.2025

Item No.27

Ct.No.34

rc.

C.R.M. (M) 386 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 Nabagram Police Station Case No. 280 of 2023 dated 19.08.2023.

And

In Re : **Nisar Ali @ Rasel**

... Petitioner.

Mr. Somnath Adhikary

... for the Petitioner

Mrs. Rituparna De Ghose

Mrs. Mamata Jana

... for the State

Mr. Suman Bhanja

...for the defacto complainant

The petitioner is in custody for more than a year and seeks parity with two lady co-accused who have been granted bail.

Learned counsel for the State opposes the prayer.

I have perused the material on record. The petitioner is one of the principal assailants who dealt a fatal blow on the victim who succumbed to the injuries subsequently. The co-accused who have been granted bail are ladies and their role can be distinguished from that of the petitioner.

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

The 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.)