

23.05.2025

Item No.23

Ct.No.34

rc.

C.R.M. (M) 405 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 Beniapukur Police Station Case No. 210 of 2022 dated 05.05.2022.

And

In Re : **Azad Alam @ Totla Azad @ totla** ... Petitioner.

Ms. Farnaz Nasim ... for the Petitioner

Mr. Sandip Chakraborty
Ms. Rituparna Saha ... for the State

The petitioner is in custody for more than three years and seeks parity with the co-accused who have been granted bail earlier.

Learned counsel for the petitioner takes this Court to the evidence of witnesses which indicate that the accused persons including the petitioner were identified by the Investigating Officer to the witnesses which helped in identifying them in Test Identification Parade.

Learned counsel for the State opposes the prayer.

It appears that the offending weapon was recovered pursuant to the leading statement of the petitioner. The petitioner does not appear to be similarly circumstanced with the co-accused who are on bail.

Considering the material on record and extent of involvement of the petitioner in the alleged offence, prayer for bail is rejected at this stage.

The application 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.)