

CRM (M) 440 of 2025

In Re : An Application for bail under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023 filed in connection with **Chapra**
Police Station Case No. **260** of **2021** dated **02/07/2021** under
Sections **302/201/120B** of the Indian Penal Code.

And

In Re : Sanju Sk @ Sanju Shaikh

... Petitioner.

Adv. Prabir Majumder,
Adv. Snehansu Majumder,

... for the petitioner.

Adv. Zareen N. Khan,
Adv. Soumyadeep Saha,

...for the State.

The petitioner is in custody for more than three years and
prays for bail.

Learned counsel for the petitioner submits that the bail prayer
of the petitioner was turned down on earlier occasions solely on the
ground that he was named in the statements recorded under
Section 164 of the Code of Criminal Procedure by two of the
witnesses. One of the witnesses examined as PW 2 has not
supported the prosecution case.

Learned counsel for the State opposes the prayer.

I have considered the material on record.

Bail prayer of the petitioner was turned down on earlier
occasions on the ground that he was named by two witnesses as
one of the assailants in their statements under Section 164 of the
Code of Criminal Procedure. PW 1 who is one of such witnesses has
supported the prosecution case.

This Court is informed that the examination of the witnesses
is complete and the trial Court is unable to proceed with the

examination of the accused under Section 313 of the Code of Criminal Procedure since one of the accused is absconding. Trial is at its fag end.

Considering the material on record as well as *prima facie* involvement of the petitioner in the alleged crime, prayer for bail is rejected at this stage.

The application for bail is disposed of.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)