

18.07.2025

Item No.19

Ct.No.34

rc.

Reject

C.R.M. (M) 718 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 Memari Police Station Case No. 96 of 2025 dated 04.02.2025.

And

In Re : **XXXX & Anr.**

... Petitioner

Mr. Uday Sankar Chattopadhyay

Ms. Rajashree Tah

Ms. Aishwarya Datta

... for the Petitioner

Mr. Joydeep Roy

Ms. Suveni Banerjee

... for the State

Report submitted by the State is taken on record.

The victim lady is not represented despite service.

Heard learned counsels for the parties.

Learned counsel for the petitioner submits that the petitioner is in custody for more than one hundred sixty days. He has been falsely implicated. The victim lady has refused medical examination and has not implicated him in her statement recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

Learned counsel for the State opposes the prayer.

I have considered the material on record. The defacto complainant is the son of the victim lady and has implicated the petitioner in his statement recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023. The bicycle

of the petitioner was recovered pursuant to the leading statement of the petitioner.

Charges are framed.

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

The bail 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.)