

02.07.2025
SL No.45
Sg/sm
(Rejected)

C.R.M. (M) 796 of 2025

In Re: - An application for bail under Section 483 of the **B.N.S.S** 2023 filed on **18.06.2025** in connection with **Santipur** P.S. Case No. **1049 of 2024** dated **07.08.2024** under Sections **309(4)/310(2)/317(3)/61(2)** of the BNS.

And

In the matter of: **Md. Chand**

....Petitioner

Mr. Shibaji Kr. Das
Mr. Dipendu Sarkar
Ms. Deblina De
Ms. Sharmistha Das

...for the petitioner

Ms. Amitaa Gaur
Mr. K. Banerjee

...for the State

1. Learned counsel for the petitioner is pressing bail on the ground of prolonged incarceration and the fact that co-accused Soyel @ Soyel Khan was granted bail by this Court whose case is far graver than the present petitioner. Learned counsel submits that while dismissing the bail application of the present petitioner on 17th March, 2025 in CRM (DB) 355 of 2025. The Division Bench did not take into account the bail granted to Soyel @ Soyel Khan in CRM (DB) 4387 of 2024.

2. Learned counsel for the State has opposed the bail on the ground that there are no change in circumstances of subsequent facts, after the bail application was rejected on 17th March, 2025. The Apex Court has time and again deprecated the practice of moving successive bail applications without any change of circumstances. The Division Bench of this Court

dismissed the bail application of the present petitioner on 17th March, 2025 pre-dominantly on the ground that there was recovery of articles from the petitioner and further he pledged looted gold ornaments and obtained loan against them. The Court also took into account criminal antecedents.

3. This Court does not find any reasons to extend the benefit of bail to the petitioner as there are no change in circumstances.

4. Hence bail petition is rejected.

5. All parties shall act on the basis of the server copy of this order.

(Dinesh Kumar Sharma, J.)