

25
25.08.2025
Ct.No.34
b.das
Rejected

C.R.M. (M) 857 of 2025

In Re : An application for bail under Section 483 of BNSS, 2023 filed in connection with Barrackpore Police Station Case No.04 of 2025 dated 22.01.2025 under Sections 126(2)/118(2)/109/3(5)/61(2) of the BNS and Sections 25(1-B)(a)/27/35 of the Arms Act.

And

In Re : **Niraj Yadav @ Bally** ... Petitioner.

Mr. Debasis Kar
Mr. Husen Mustafi ... for the petitioner.

Ms. Saila Afrin
Mr. Soumadip Saha ... for the State.

Heard learned counsels for the parties.

The petitioner is in custody for more than six months and prays for bail.

Learned counsel for the petitioner submits that the petitioner's name transpired from the statement of the co accused. He is not one of the persons who fired at the victim.

Learned counsel for the State opposes the prayer.

I have considered the material on record. It appears from the statement of the victim recorded under Section 164 of the Code of Criminal Procedure that the petitioner was seen to be present at the place of occurrence at a distance and one of the fire arms has been recovered pursuant to the leading statement of the petitioner. Charges have been

framed. The petitioner has three similar criminal antecedents to his credit.

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

The application for bail is thus disposed of.

Case diary be returned.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

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

(Suvra Ghosh, J.)