

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (M) 1040 of 2025

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Khargram Police Station** Case No.**389/2023** dated **11.10.2023** under Sections **448/302/201/120B** of the Indian Penal Code.

And

In Re: Younus Sk.

....petitioner.

Mr. Pratip Kumar Chatterjee,
Mr. Asish Deb,
Ms. Maitrayee Chatterjee

...for the petitioner.

Mr. Ranadeb Sengupta,
Mr. S. Nandy

....for the State.

Mr. Navanil De,
Mr. Srijan Ghosh,
Mr. Shoumilya Majumder

.for the defacto complainant.

Learned counsel for the petitioner submits that the petitioner is in custody for more than 600 days. The co-accused who is similarly circumstanced with the petitioner has been granted bail earlier. The petitioner seeks parity.

Learned counsel for the State and the defacto complainant oppose the prayer for bail.

I have considered the material on record.

By an order passed by a Division Bench of this Court on 20th June, 2024 rejecting the bail prayer of the petitioner, the Court has observed that the petitioner is not similarly

circumstanced with the co-accused Nazimul Sk. who has been enlarged on bail. On merits, the wife of the deceased has stated in her statement under Section 164 of the Code of Criminal Procedure that she saw the petitioner flee from the place of occurrence immediately after the incident. Though the offending vehicle was recovered from the possession of the co-accused, the blacksmith who made the weapon has stated that the weapon was purchased by the petitioner.

The petitioner is in custody for more than 600 days. Offence, if proved, shall attract mandatory life imprisonment.

Considering the extent of involvement of the petitioner in the alleged crime, prayer of bail is rejected at this stage.

CRM (M) 1040 of 2025 is disposed of.

Case Diary be returned.

All parties shall act on the server copies 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.)