

September 18, 2025

10 ARDR
(Rejected)

CRM (M) 1197 of 2025

In Re : An Application for bail under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023 filed in connection with **Kasba
Police Station** Case No. **474** of **2024** dated **15/11/2024** under
Sections **109/3(5)//61(8)/61(2)/111(2)(b)/111(3)** of the BNS,
2023 read with Sections **25/25(2)/25(1B)(a)/27/35** of the Arms
Act.

And

In Re : Md. Phool Babu

... petitioner.

Adv. Arnab Chatterjee,
Adv. Kailash Tamili,

... for the petitioner.

Sr. Adv. Ayan Bhattacharya,
Adv. Pinak Kumar Mitra,
Adv. Faizar Md. Zabbar,

...for the de facto complainant.

Adv. Debasish Roy, Ld. PP,
Adv. Saryati Datta,
Adv. Manasi Roy,

... for the State.

Learned counsel for the petitioner submits that the petitioner
is in custody for 294 days. He has been falsely implicated. He was
not present at the place of occurrence. He prays for bail.

Learned counsels for the State and the defacto complainant
oppose the prayer.

I have considered the material on record.

It is a fact that the petitioner was not present at the place of
occurrence when the incident occurred and therefore not placed in
the T.I. Parade. However, the mobile phone of the petitioner has
been seized and the call detail records of the phone prima facie
reveal that the petitioner had several conversations with the co-
accused prior to the alleged incident. Contact between the petitioner
and the co-accused Afroz Khan on the date of incident has also been

found. Material available in the Case Diary implicate the petitioner in the alleged offence. The petitioner appears to be a co-conspirator in the alleged offence.

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

The application for bail is disposed of.

Case Diary be 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.)