

17.11.2025
Court No.35.
D/L. 33.
Kausik
(Rejected)

CRM (M) 2280 of 2025

In Re: An Application for bail under section 439 of the Code of Criminal Procedure 1973/Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Raidighi Police Station Case No. 569 of 2024 dated 05.11.2024 under Section 103(2)/61(2)(a) of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of : Asad Sk. @ Sk. Asad

.....Petitioner.

Mr. Sabir Ahamed
Mr. Kingsuk Mondal

....for the Petitioner.

Mr. Rabi Shankar Chatterjee
Mr. Imteaz Ahmed
Mr. Anindya Sundar Das
Ms. Paramita Mondal
Mr. Suman Halder

....for the Defacto Complainant.

Ms. Anasuya Sinha
Ms. Suveni Banerjee

....for the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 1 year and 8 days. It has been further submitted that similarly placed accused persons have been granted bail.

The primary consideration for granting bail to the other accused relates to the statement under section 164 Cr.P.C. of one Suvendu Maity, a shopkeeper along with the fact that similarly placed accused persons have been granted bail.

It has also been pointed out that investigation has been concluded and as such further detention of the petitioner is unwarranted.

Learned advocate for the State has drawn the attention of the Court to the statement of the witness namely, Suvendu Maity.

I have considered the locus of the present petitioner in respect of another accused who has been named in the statement under Section 164 of the Cr.P.C. It has been pointed out by the learned advocate for the State that there are two other seizure lists which contain incriminating materials particularly with regard to the blood stained wearing apparels which were recovered at the behest of the present petitioner.

It is also submitted that out of 15 witnesses proposed to be examined by the prosecution, 3 have been completed and 3 of the witnesses have already been examined.

Learned advocate appearing for the defacto complainant submits that since the last rejection of the present petitioner there has been no change of circumstances.

I have taken into account the overall circumstances of the case, the persons who have been released on bail, the incriminating materials appearing so far as the petitioner is concerned as also the stage of the case including the factum, particularly the manner in which there is progress in the trial of the prosecution case. Having considered the same, I am of

the view that at this stage it would not be fit and proper to release the petitioner on bail.

As such CRM (M) 2280 of 2025 is dismissed at this stage.

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

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

(Tirthankar Ghosh, J.)