

17.02.2025
Item No.67
Court No. 26
CHC
Rejected

CRM (DB) 3987 of 2024

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure, 1973/under Section **483** of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Ratua** Police Station Case No. **436 of 2023** dated **31.07.2023** under Sections **449/376/302** of the Indian Penal Code, 1860.

-And-

In the matter of : **Md. Habib Mostafa @ Habib Mostafa**
... ..**Petitioner**

Mr. Sourav Chatterjee, Advocate
Mr. Kalidas Saha, Advocate
Ms. Mandira Mandal, Advocate
Ms. Khushi Mollick, Advocate
... .. For the Petitioner

Mr. Rudradipta Nandy, Ld. A.P.P.
Ms. Nahid Ahmed, Advocate
... ...For the State

Mr. Sabnam Laskar, Advocate
.....For the de facto complainant

1. Petitioner renews the prayer for bail. .
2. Learned Senior Advocate appearing for the petitioner submits that, there are variations in the version of the incident between the police complaint, the statement recorded under Section 164 of the Criminal Procedure Code and the charge sheet.
3. State and the de facto complainant are represented.
4. This is the third application for grant of bail with the first being dismissed as not pressed with second being rejected on merits.

5. Petitioner stands implicated in the incident of murder.
Eyewitness saw the petitioner push the victim from the roof causing the death.
6. Post Mortem Report of the victim corroborates the cause of death as narrated by the eyewitness.
7. Charges as against the petitioner stands framed.
8. Considering the gravity of the offence and involvement of the petitioner therein as transpiring from the materials placed on record, we are not inclined to grant bail to the petitioner.
9. Prayer for bail of the petitioner is **rejected**.
10. CRM(DB) 3987 of 2024 is **dismissed**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)