

23.12.2025
Serial no. 92
[G.S.D]

CRM (M) 2759 of 2025

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure, 1973/under Section 483 of the BNSS, 2023 in connection with **Ranitala PS Case No. 382 of 2025 dated 09.06.2025 u/s 126(1)/118(2)/103(1)/109/3(5) of the BNS, 2023 corresponding to GR Case No. 2651 of 2025.**
-And-

In the matter of : Ebrahim Sk.

... Petitioner(s)

Mr. Kallol Kumar Basu
Mr. Debapriya Samanta
Md. Jannat ul Firdous
Mr. Rajsekhar Hota
Mr. Akash Kr. Chakraborty

... for the Petitioner(s)

Mr. Bitoshok Banerjee
Ms. Madhumita Basak

... for the State-respondent(s)

Learned advocate for the petitioner submits that the petitioner is in custody for six months and he was never named as the principal assailant who was responsible for death of one brother and injury of the two brothers. It has also been submitted that the ladies who were similarly placed have already been granted bail. Learned advocate also added that the petitioner has no specific role in the case for which he may be further detained.

I find that the petitioner along with the others were involved in assaulting the injured as also the deceased. However, so far as the statement of the witnesses is

concerned, the same reflects that the petitioner may not be the principal accused but is involved in the overall circumstances, which cannot be ignored.

Learned advocate for the State opposes the prayer for bail and has referred to the statement under section 164 of the Cr.P.C. of the injured witnesses.

Having regard to the fact that charges are yet to be framed and the delay is because of the two persons absconding, at this stage, I am not inclined to enlarge the petitioner on bail.

Hence, the prayer for bail of the petitioner is **Rejected.**

However, the learned Magistrate is directed to split up the trial and, if required, thereafter, commit the case to the court of Sessions.

The petitioner would approach this court after charges are framed by the learned trial court.

Accordingly, CRM(M) 2759 of 2025 is **dismissed.**

Pending application(s), if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

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

(Tirthankar Ghosh, J.)

