

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI**

19.02.2025

Court No.01
rpan/**32**

CRM (DB) 113 of 2025

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Rajganj Police Station Case no. 289 of 2024 dated 11.08.2024 under Sections 115(2)/74/103(1)/3(5) of the Bharatiya Nyay Sanhita, 2023;

And

In Re : **Abdul Gani**

- Petitioner

Mr. Jaydeep Kanta Bhowmik,
Mr. Shubham Kumar,
Ms. Sayantani Das,
Mr. Hasanur Rahaman
...for the Petitioner.

Mr. Ujjwal Luksom,
Mr. Kallol Nag
... for the State.

Mr. Anirban Banerjee,
Mr. Subhasis Ghosh,
Ms. Rishita Chakraborty
... for the *De Facto* / Complainant.

Mr. Bhowmik, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. He has already suffered incarceration for more than 159 days. Upon completion of investigation chargesheet has also been submitted. In view thereof, the petitioner's further detention may not be necessary.

Mr. Luksom, learned advocate appearing for the State submits that there are strong incriminating materials on record against the petitioner and draws our attention to the statement of the witnesses, the injury report and the post-mortem report.

Mr. Banerjee, learned advocate enters appearance on behalf of the *de facto* complainant and opposes the petitioner's prayer.

Prima facie, it appears that there are strong incriminating materials on record against the petitioner. Records would further reveal that his prayer for bail was last rejected on 20th December, 2024. *Prima facie*, we do not find any change in the circumstances thereafter and as such, we are not inclined to exercise discretion in his favour at this stage.

In view thereof, the application of bail, being CRM (DB) 113 of 2025 is dismissed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Prasenjit Biswas, J.)

(Tapabrata Chakraborty, J.)