

22.04.2025  
(Item No. 06)  
Ct. No. 4  
**Rejected**  
(AN)

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

**CRM (M) 38 of 2025**

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Criminal Misc. Case No. 390 of 25 under Section 308(4)/103/3(5) of BNS arising out of NJP Police Station Case No. 1131 of 20234 dated 01.11.2024 corresponding to G.R. Case No. 5460 of 2024.

In the matter of : **Md. Sarfaraj @ Md. Sarfaroj & anr.**  
... Petitioner

Mr. Subrata Karmakar  
Ms. Madhumita Sarkar  
Ms. Rinka Chakraborty

... for the petitioner

Mr. Aditi Shankar Chakraborty, ld. APP  
Mr. Kallol Nag

... for the State

Mr. Debajit Kundu

... for defacto Complainant

1. Learned counsel representing the petitioners submits that two co-accused persons have been granted bail vide order dated 09.04.2025 and these petitioners are on the same footing as that of those two accused persons who have been granted bail.
2. Considering the aforesaid fact, the learned counsel for the petitioner prays for granting bail to these petitioners.
3. As per the direction passed by this Court on 21.04.2025, learned counsel for the State has produced a report and

submits that a complaint has been lodged by the defacto complainant stating that he is being compelled to withdraw the complaint lodged earlier. In respect of the said allegation, steps are being taken and in consequence to that one Md. Munna has been arrested while the other accused persons are still absconding. He further submits that these petitioners and the accused persons are correlated with the accused persons of the N.G.P. Police Station Case No. 399 of 2025 dated 08.04.2025.

4. Considering the aforesaid circumstances, learned counsel for the State opposes the prayer for bail.
5. On going through the record including the case diary and the report filed by the Prosecution, it transpires that Md. Salauddin and Md. Allauddin were granted bail on earlier occasion vide order dated 09.04.2025. Considering the report filed by the Prosecution, it transpires that the defacto complainant is being pressurised and on considering the aforesaid development, this Court is not inclined to grant bail to the petitioners at this stage and prayer for bail is, thus, rejected.
6. Hence, the application being CRM(M) 38 of 2025 stands **rejected.**

**(Supratim Bhattacharya, J.)**