

29.07. 2025
Item No. 07
g.b.
Ct. No. 04

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

C.R.M (M) 175 of 2025

In re: An application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Kurseong Police Station Case No. 41 of 2024 dated 6th April, 2024 under Sections 302/201 of the I. P. C. read with Sections 364/376/511 of the I. P. C.

And

In Re : **Nabab Arju @ Nabab Arzu @ Nawab Arju**

... Petitioner

Mr. Sourav Chatterjee, Sr. Advocate (VC)
Mr. Debanjan Das
Ms. Priyanka Saha

...For the Petitioner

Mr. Abhijit Sarkar
Mr. Sagnik Shankar Sikdar
.....For the State

Mr. Arnab Saha
Md. Shoaib Akhtar
.....For the De facto Complainant

1. This application, CRM(M) 175 of 2025, has been filed by the petitioner, Nabab Arju @ Nabab Arzu @ Nawab Arju under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023. He seeks bail in connection with Kurseong Police Station Case No. 41 of 2024 dated 6th April, 2024.
2. Mr. Sourav Chatterjee, the learned advocate representing the petitioner, submits that the petitioner is in custody for 446 days and other accused persons are on bail. Trial of this case has not yet been started and immediate conclusion of trial is also not

possible as there are 34 charge sheeted witnesses. Charge sheet of this case has already been submitted on 22nd June, 2024 under Sections 364/302/201/376/ 511/34. Further detention of accused without early trial would amount to frustration of mandate enshrined under Article 21 of the Constitution of India. So, he prays for release of accused on any condition.

3. Mr. Sarkar, the learned Advocate for the State, vigorously opposes the bail application by referring the statement of Aiyub Alam available at page 50 of the case diary and statement of accused Nabab Arju recorded on 12th April, 2024 available at page 51 of the case diary wherefrom it appears that petitioner was moving together with deceased on the vehicle of the petitioner. Same was admitted by the accused Nabab Arju that he along with the deceased, that is his friend, Sabina Begum went to Kaliaganj by his Scorpio bearing no. WB 32 AD 4246. Prima Facie, sufficient material is available against the petitioner that he was last seen together with the deceased on 28th March, 2024 and her dead body was recovered on the next date.
4. Considering the above facts and circumstances, I am not inclined to grant bail to the petitioner at this stage. Therefore, the prayer for bail is rejected.
5. However, the learned trial court is directed to take all necessary endeavour to conclude the trial as early as possible.
6. Accordingly, the C.R.M.(M) 175 of 2025 stands disposed of.

7. An urgent Photostat certified copy of this order, if applied for, shall be supplied to the parties on an urgent basis after completion of all necessary formalities.

(Uday Kumar, J.)