

20.04.2026
Court No.35.
D/L.174.
Rakib
(Rejected)

CRM (M) 755 of 2026

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 Falta Police Station case no. 366 of 2025 dated 18.12.2025 under Sections 103(1)(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of : Asgar Kha.

.....Petitioner.

Mr. Arnab Chatterjee
Mr. Dipankar Guha

.....for the Petitioner.

Ms. Amita Gaur, Sr. Govt. Adv,
Mr. Kunal Ganguly

.....for the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody since 19th of December, 2025. It has been additionally pointed out that over trivial issues dispute cropped up between the family members of the deceased and that of the present petitioner and his associates.

Learned advocate for the State has drawn the attention of the Court to the statement of the eye-witnesses under Section 164 of the Code of Criminal Procedure/Section 183 of the BNSS.

Having considered the same, I am not inclined to release the petitioner on bail at this stage.

Learned trial Court is directed to pre-pone the evidence of the witnesses whose statement under Section 164 of the Cr.P.C. have been recorded.

Petitioner would be at liberty to approach this Court after the cross-examination of the said witnesses are over.

At this stage, the prayer for bail in CRM (M) 755 of 2026 is **dismissed.**

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

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

(Tirthankar Ghosh, J.)