

17.03.2026

37.

Ct.No.237

Suman

**IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction
Appellate Side**

CRM (M) 2839 of 2025

In Re:-An application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with S.T. No.46 of 2025/S.C. No.282 of 2025 arising out of Ashoknagar Police Station Case No.188 of 2025 dated 21.03.2025 under sections 318(4)/316(2)/308(2)/118(3)/111(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 18/19/21 of the Transplantation of Human Organs and Tissues Act, 1994, corresponding to G.R. No.752 of 2025 pending before the learned Additional Sessions Judge, 7th Court, Barasat at North 24 Parganas.

And

In the matter of : **Mousumi Sardar**

.... Petitioner.

Md. Bani Israil

..for the petitioner

Mr. Antarikya Basu

Mr. Subhajit Chowdhury

..for the State

It appears that the trial is ongoing.

The prosecution submits that, out of a total of 14 (fourteen) witnesses, 9 (nine) have already been examined.

The learned Advocate appearing for the petitioner, relying upon the evidence of one of the victims and that of the husband of the victim (PW-2), submits that the petitioner

stands on the same footing as Gour Sardar and on a better footing than Gurupada Jana.

However, since the evidence is still being recorded, the question of considering parity at this stage does not arise unless the evidentiary phase is concluded.

Having regard to the gravity of the allegations against the petitioner and the petitioner's alleged role in the commission of the offence, I am of the view that the petitioner's prayer for bail cannot be allowed at this stage.

Accordingly, the prayer for bail stands **rejected** at this stage.

CRM (M) 2839 of 2025 is disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on usual undertakings.

(Kausik Chanda, J.)