

27.03.2026
Item No.29
Court No.7
KB
(Rejected)

Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Side

CRM (M) 54 of 2026

In Re:- An application under Section 439 of the Code of Criminal Procedure, 1973 and corresponding Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Dinhata** Police Station Case No. **343/2023** dated **06.07.2023** under Sections **302/34** of the Indian Penal Code, 1860.

And

In the matter of : **Nur Islam Miya @ Nur Islam**
...Petitioner

Mr. Sudip Guha, Advocate
...for the petitioner

Dr. Arjun Chowdhury, Advocate
...for the State

1. Petitioner prays for bail.
2. Learned Advocate appearing for the petitioner submits that, the petitioner is in custody of 114 days. Co-accused were granted anticipatory bail. Police filed charge sheet. Therefore, further custody of the petitioner is not required.
3. Learned Advocate appearing for the State submits that the petitioner stands implicated in case of a murder. He refers to the statement recorded under Section 183 of the BNSS as also Post-mortem report.
4. Post-mortem report of the victim states that, the victim expired due to the effects of the injuries noted. Possibility of homicidal death was not ruled out.

5. Statement of eye witness recorded under Section 183 of the BNSS implicates the petitioner in the crime of murder. It states that the petitioner inflicted the stab injuries on the victim.
6. Post-mortem report of the victim contains stab injuries in the body of the victim.
7. Considering the gravity of the offence and the involvement of the petitioner as transpiring from the materials in the case diary, notwithstanding the co-accused being granted anticipatory bail and the period of custody, prayer for bail of the petitioner stands **rejected**.
8. **CRM (M) 54 of 2026** is **dismissed**.

(Debangsu Basak, J.)