

10.09.2026

Item No.M/L.22

Ct.No.35

dc.

Allowed

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

C.R.M. (M) 827 of 2026

In Re : An Application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Matia Police Station Case No. 107 of 2025 dated 22.03.2025 under Sections 126(2)/117(2)/109/103(1)/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In Re : **Partha Mondal**

... Petitioner.

Mr. Sarthak Mondal,
Mr. Samrat Mandal

... For the Petitioner.

Mr. Rajendra Banerjee, APP,
Mr. Rajesh Kumar Shah

... For the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody since 22.03.2025 and charge-sheet has already been submitted. There are 30 witnesses relied upon by the prosecution. As such, there is no possibility of the trial concluding in near future.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and draws the attention of the Court to the statement under Section 183 of the BNSS of the injured who is the mother of the deceased.

I have taken into account the *post mortem* report and other attending materials. Admittedly the dispute cropped up as there were differences in demarcation of boundary. The present petitioner inflicted the vital blow with a bamboo stick. Having considered that there are no criminal antecedents of the present petitioner and the nature of the

dispute was amongst neighbours/relations, I am of the opinion that further detention of the present petitioner in connection with the instant case is unwarranted. As such, the prayer for bail of the petitioner is **allowed**.

Accordingly, the petitioner viz., **Partha Mondal** shall be released on bail upon furnishing bond of Rs.20,000/-, with two sureties of Rs.10,000/- each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Basirhat.

If on bail, the petitioner shall be physically present on each and every date before the learned Trial Court and shall not leave the jurisdiction of the district of North 24-Parganas without prior permission of the learned Trial Court.

Additionally, petitioner shall not stay within the jurisdiction of Matia Police Station and will enter the jurisdiction of the said police station only after the evidence of vulnerable witnesses is over. If there is any complaint that petitioner has violated the condition by entering into the jurisdiction of Matia Police Station, in that case, learned Trial Court will cancel the bail of the petitioner without further reference to this Court.

Memo of Evidence submitted by the learned advocate appearing for the State be kept with the record.

The application for bail, being CRM (M) 827 of 2026, is, thus, disposed of.

All concerned parties shall act on the server copy of this order duly 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.)