

28.07.2026
Court No.35.
D/L.286.
Rakib
(Allowed)

CRM (M) 1563 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 Domjur Police Station case no. 162 of 2026 dated 20.03.2026 under Sections 103(1)/3(5) of the of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of : Bharati Naskar & Anr.

.....Petitioners.

Mr. Moyukh Mukherjee
Mr. Koustav Lal Mukherjee
Mr. Hari Jana

.....for the Petitioners.

Mr. Kalidas Saha

.....for the State.

Mr. Avik Ghatak
Mr. Sagnik Mukherjee
Mr. Fahad Imam
Mr. Saptaswajit Kar

.....for the De-facto complainant.

Learned advocate appearing for the petitioners submit that the petitioners are in custody for 130 days and so far as the principal allegations against the petitioners are concerned, that after the incident occurred by assaulting with sword the present petitioners on hearing hue and cry arrived at the spot and thereafter assaulted. So far as the other accused persons who were involved at the time of inflicting vital assault is concerned, they are not before this Court presently, the petitioners subsequently joined.

Having regard to the fact that charge-sheet has been submitted before the jurisdictional Court and other accused persons are yet to be brought within the ambit of trial, I am inclined to release the petitioners on bail. Accordingly, the prayer for bail of the petitioners is **allowed**.

As such, the petitioners, namely, **Bharati Naskar** and **Swapan Naskar @ Babu** shall be released on bail upon furnishing bond of Rs.20,000/- (Rupees Twenty Thousand only) each with two sureties of Rs.10,000/- (Rupees Ten Thousand only) each, one of whom must be local to the satisfaction of the learned Chief Judicial Magistrate, Howrah.

If on bail, the petitioners shall be physically present on each and every date before the learned Court and shall not leave the jurisdiction of district of Howrah without prior permission of the learned Court.

Additionally, petitioners will not enter into the jurisdiction of Domjur Police Station without the permission of the learned Chief Judicial Magistrate, Howrah for a period of six months. It would be the discretion of the learned CJM, Howrah to allow the petitioners to either stick to such conditions or waive such conditions after the said period is over.

Thus, CRM (M) No. 1563 of 2026 is **allowed**.

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.)