

15.01.2025

Item No.1

Ct.No.34

b.das

Allowed

C.R.M. (SB) 08 of 2025

In Re : An application for bail under Section 483 of the BNSS, 2023 filed in connection with Kalyani Police Station Case No. 986 of 2024 dated 02.12.2024 under Section 232(1)/3(5) of the BNS.

And

In Re : **Sayan De & Anr.**

... Petitioners.

Mr. Uday Sankar Chattopadhyay

Mr. M. Lahiri

Ms. Payel Shome

Ms. T. Rakshit

... for the Petitioners.

Mr. Soumik Ganguly

Mr. Abhishek Verma

... For the State.

Learned counsel for the petitioners submits that the petitioners are in custody for about 41 days. Charge sheet has been submitted.

Learned counsel takes this Court to the evidence of the de facto complainant in connection with the complaint recorded on 20th November, 2019 wherein the de facto complainant has stated that she has no grievance against the accused/petitioners.

The present complaint has been lodged on 2nd December, 2024 alleging that the petitioners threatened the

de facto complainant to adduce false evidence in the earlier case.

Learned counsel for the State produces the Case Diary and opposes the prayer.

The petitioners are in custody for about 41 days. Charge sheet has been submitted.

Considering the material available in the Case Diary and the statement of the de facto complainant made before the learned Trial Court in connection with the earlier complaint being Sessions Case 14(08) of 2016 on 20th November, 2019, this Court is of the view that further detention of the petitioner is not required for the purpose of custodial interrogation.

Accordingly, the prayer for bail is allowed.

The petitioners, **Sayan De & Samir Chandra Dey** be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Kalyani, Nadia subject to condition that they shall appear before the trial court on every date of hearing fixed before the learned Trial Court until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioners fail to appear before the learned Trial Court on any date without justifiable cause, the Trial Court shall be at liberty to cancel their bail in accordance with law without further reference to this Court.

The application for bail, being CRM (SB) 08 of 2025, is disposed of.

Case Diary be returned.

All parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

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

(Suvra Ghosh, J.)