

12.03.2025
Item no. 36.
Court No.29.
AB
(Allowed)

CRM (DB) 283 of 2025

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 Bhimpur Police Station Case No.241 of 2024 Dated 05.09.2024 under Section 118(2)/329(4)/109/79/103/3(5) of the B.N.S. 2023

And

In the matter of : Anutosh Biswas

.....Petitioner.

Mr. Joydeep Biswas,
Mr. Amanul Islam,
Mr. Sourav Mukherjee,
Mr. Kaushik Ghosh for the Petitioner.

Mr. Partha Pratim Das,
Mr. Saptarshi Chakraborty for the State.

Mr. Sujay Sarkar for the Defacto complainant.

Dictated by Arijit Banerjee, J.

1. The petitioner says that he has been implicated only on the basis of suspicion. The victim lady's mother in law suspects that he is the culprit, who murdered the victim. There is absolutely no material to support such baseless suspicion. He is in custody for 189 days. Investigation is complete and charge sheet has been filed. He prays for bail.
2. Learned Advocates for the State and the defacto complainant, while opposing the bail prayer, say that in the case diary at least, there is no material against this petitioner. There are witnesses saying that the co-

accused person by the name of Bidyut was seen running away from the house where the victim resided in the wee hours of the morning.

3. We have seen the material in the case diary. Prima facie, there does not appear to be any such incriminating material against the petitioner as would justify his further custodial detention.
4. Accordingly, we direct that the petitioner, namely **ANUTOSH BISWAS** shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Nadia at Krishnagar, and on further conditions that he shall remain within the jurisdiction of the concerned police station and shall report to the Officer in charge of the concerned police station once in a week until further orders.
5. The petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence and/or commit any cognizable offence in any manner whatsoever.
6. In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the

petitioner's bail in accordance with law without further reference to this Court.

7. The application for bail is, accordingly, allowed.
8. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Om Narayan Rai, J.)

(Arijit Banerjee, J.)