

April 03, 2025

30 ARDR

Allowed

CRM(DB) 548 of 2025

In Re : An Application for bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with **Barasat GRPS** Police Station Case No. 04 of 2024 dated 27.1.2024 under Sections 363A/370/372/34 of the Indian Penal Code and Section 13 of the Foreigners Act.

And

In Re : Fajaraaali Mondal

... Petitioner.

Adv. Angshuman Chakraborty,
Adv. Shashanka Sekhar Saha,

... for the petitioners.

Adv. Ranabir Roy Chowdhury,
Adv. Puja Goswami,

... for the State.

The petitioner is in custody for more than a year. Learned counsel for the petitioner submits that the petitioner has neither been named by the victims, nor identified in the Test Identification Parade. He does not stand on the same footing as the co-accused whose bail was turned down by this Court.

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

I have considered the material on record.

Though the allegation against the petitioner is that he is one of the conspirators involved in trafficking the victims who are from Bangladesh for sexual exploitation, the petitioner was not placed in the Test Identification Parade for his identification by the victims, nor have the victims specifically named him as the alleged perpetrator. Charge sheet has been submitted.

Considering the material available before me, I am inclined to hold that further detention of the petitioner is not required and he may be granted bail on stringent conditions.

Accordingly, the prayer for bail is allowed.

The petitioner, namely, Fajaraaali Mondal, be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, North 24 Parganas at Barasat, subject to the condition that he shall not enter the District of North 24 Parganas except for attending the court proceedings and shall provide the address where he shall presently reside before the learned trial Court, the Investigating officer and the Officer in charge of the concerned police station where he shall presently reside. The petitioner shall appear before the learned trial Court on every date of hearing fixed by the learned Court and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to comply with any of the conditions as stated above, the learned trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is disposed of.

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.)