

07. 04.03.2025
Court
No.29 (Tanmoy)

Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 614 of 2025

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with **Noapara** Police Station Case **No.42/2024** dated **17.3.2024** under Sections **341/324/326/354B/307/506** of the Indian Penal Code, 1860. Charge-sheet no. 54/2024 dated 21.4.2024, submitted under Sections **341/324/326/354/307/506** of the Indian Penal Code, 1860.

And

In the matter of: - **MINMOY DAS @ MRINMOY DAS @ PAPAI DAS**

...petitioner.

Mr. Abhijit Singh
Mr. Sarthak Mondal

...for the petitioner.

Mr. Prasun Kr. Dutta, APP
Mr. Anindya Sundar Chatterjee

...for the State.

Dictated by Arijit Banerjee, J.

1. Leave is granted to learned Advocate-on-Record for the petitioner to correct the cause title of the bail petition.
2. The petitioner says that he has been falsely implicated. There was a love affair between him and the victim lady. The victim lady's father, having found out the same and not having approved of such relationship, lodged this false complaint. The petitioner is in custody for 348 days. Charge was framed in July, 2024. Witness action has not yet begun. He prays for bail.
3. Opposing the prayer for bail learned State Counsel shows us the statement of the victim lady recorded under Section 164 of the Criminal Procedure Code, 1973, as also the injury report.

The injury does not appear to have been serious as the lady was not admitted to hospital.

4. We see that there are 16 charge-sheet named witnesses. Although charge was framed in July, 2024 and about eight months have passed, there has been no progress in the trial.
5. On an overall assessment of the material on record and considering the period of detention of the petitioner, we are of the view that further custodial detention of the petitioner is not necessary. The prayer for bail is thus allowed.
6. Accordingly, we direct that the petitioner, namely, **MINMOY DAS @ MRINMOY DAS @ PAPAI DAS**, shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Barrackpore, North 24-Parganas, subject to condition that the petitioner shall appear before the Trial Court on each and every date of substantive hearing subject to the provisions of Section 317 of the Code of Criminal Procedure, 1973 / Section 355 of Bharatiya Nagarik Suraksha Sanhita, 2023, and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever and on further condition that the petitioner, while on bail, shall not enter the territorial jurisdiction of Noapara Police Station and shall furnish his present address to the Inspector-in-Charge/Officer-in-Charge of Noapara Police Station as well as to the learned Trial Court and shall also meet the Inspector-in-Charge/Officer-

in-Charge of the concerned Police Station, within whose jurisdiction he will be presently residing, once in a week, until further orders.

7. In the event the petitioner fails to adhere to any of the conditions stipulated above without any justifiable cause, the Trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.
8. The application for bail being CRM (DB) 614 of 2025 is accordingly disposed of.
9. Criminal Section is directed to make available urgent photostat certified copies of this order to the parties, if applied for, upon compliance with all requisite formalities.

(Arijit Banerjee, J.)

(Prasenjit Biswas, J.)