

April 11, 2025

5 ARDR

**Allowed**

**CRM(DB) 740 of 2025**

In Re : An Application for bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with **Habra** Police Station Case No. 42 of 2025 dated 01/02/2025 under Sections 281/125(a)/117(2)/303(2)/351(2)/3(5)/109 of the BNS.

And

In Re : Partha Saha

... Petitioner.

Adv. Debasis Kar,  
Adv. ARka Tilak Bhadra,

... for the petitioner.

Adv. Manojit Bhattacharyaa,  
Adv. Arijit Chakraborty,  
Adv. Priyanka Mukherjee,

...for the defacto complainant.

Adv. Saryati Datta,  
Adv. Ronit Mukherjee,

... for the State.

The petitioner is in custody for more than two months. Learned counsel for the petitioner submits that the petitioner has not been able to file an application for bail before the jurisdictional Court since the defacto complainant is an advocate of Barasat Court and the petitioner was restrained from appearing before the Court for filing any application.

Learned counsel for the State and the defacto complainant oppose the prayer.

It appears that pursuant to a collision between the motorbikes of the petitioner and the defacto complainant, there was a scuffle between them and the defacto complainant sustained injuries. No active bleeding was found on his person when he visited the doctor on the same day. Investigation is in progress.

Considering the material available in the Case Diary including the nature of offence and extent of complicity of the petitioner in the

alleged offence, this Court is inclined to hold that further detention of the petitioner is not required and he may be granted bail.

Accordingly, the prayer for bail is allowed.

The petitioner namely Partha Saha 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, Barasat, subject to condition that he shall cooperate in investigation and meet the Investigating officer as and when required. He shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

The application for bail 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.)**