

June 17, 2025

11 ARDR

(Allowed)

CRM (DB) 839 of 2025

In Re : An Application for bail under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023 filed in connection with
Berhampore Police Station Case No. **992** of **2023** dated
20/7/2023 under Sections **341/376(D)/379/506/34** of the Indian
Penal Code.

And

In Re : Bappa Saha

... Petitioner.

Adv. Niladri Sekhar Ghosh,
Adv. Tapadip Gupta,
Adv. Labani Sikder,
Adv. Souvik Dey,

... for the petitioner.

Adv. S. S. Imam,
Adv. Arani Bhattachaya,

... for the State.

Report submitted by the State is taken on record.

It appears that the petitioner is being provided with sufficient
and adequate medical assistance at the correctional home.

Learned counsel for the petitioner submits that the petitioner
is in custody for about two years. The victim lady has been
examined. There are contradictions in her evidence. She has
deviated from her statement recorded under Section 164 of the Code
of Criminal Procedure. The petitioner prays for bail.

Learned counsel for the State opposes the prayer.

I have considered the material on record.

The petitioner is in custody for close to two years. The victim
lady has been examined.

Considering the material on record, particularly the statement
of the victim lady under Section 164 of the Code of Criminal
Procedure vis-à-vis her examination in Court, this Court is inclined

to hold that further detention of the petitioner is not required and he may be granted bail subject to stringent conditions.

Accordingly, the prayer for bail is allowed.

The petitioner namely **Bappa 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, Berhampore, Murshidabad** subject to the condition that he shall remain outside the jurisdiction of Berhampore Police Station and shall furnish the address where he shall presently reside before the learned trial Court, Investigating officer and the Officer in charge of the police station under whose jurisdiction he shall henceforth reside. He shall appear before the learned trial Court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to adhere to 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.

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.)