

C.R.M. (DB) 1019 of 2025

In Re : An application for bail under Section 483 of the BNSS, 2023 filed in connection with Tarakeswar P.S. Case No. 296 of 2021 dated 21.10.2021 under Sections 302/201 of the Indian Penal Code.

And

In Re : **Sanjay Guchait** ... Petitioner.

Mr. Tapas Kr. Ghosh
Mr. Tanmay Chowdhury ... for the Petitioner.

Ms. Sreyashee Biswas
Mr. Samarjit Balial ... for the State.

Heard learned counsels for the parties.

The petitioner is in custody for more than 3 years.

Learned counsel for the petitioner submits that 12 out of 24 witnesses have been examined by the prosecution and none of the witnesses has implicated the petitioner in the alleged offence.

Opposing the prayer, learned counsel for the State has taken this Court to the statement of the de facto complainant Madhumita Jana recorded under Section 161 of the Code of Criminal Procedure wherein the petitioner has been made responsible for her mother's death. In her evidence as PW 1, she has denied her interrogation by the police and stated that the contents of written complaint were dictated to her by the police.

Considering the period of detention of the petitioner as well as quality of evidence adduced before the learned trial

Court, this Court is of the view that further detention of the petitioner is not required and he may be granted bail.

Accordingly, prayer for bail is allowed.

The petitioner **Sanjay Guchait** 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 Additional Chief Judicial Magistrate, Chandernagore, Hooghly subject to condition that he shall appear before the learned trial Court on every date of hearing. He shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the learned trial Court on any date without justifiable cause, 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 thus 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.)