

May 07, 2025

23 ARDR

Allowed

CRM (M) 91 of 2025

In Re : An Application for bail under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023 filed in connection with **Kaliaganj**
Police Station Case No. **618** of **2024** dated **24/7/2024** under
Sections **103(1)/61(2)** of the BNS.

And

In Re : Byasdeb Rajowar

... Petitioner.

Adv. Atis Kumar Biswar,
Adv. Jyoti Agarwal

... for the petitioner.

Adv. Sandip Chakraborty,
Adv. Soumyadip Saha,

... for the State.

The petitioner is in custody for more than 200 days and
renews his prayer for bail.

Learned counsel for the petitioner submits that the petitioner
is not named in the FIR and there is no direct evidence connecting
him to the offence besides the seizure of the mobile phone of the
deceased which was recovered about a month after his arrest.
According to learned counsel, mobile phone was recovered only for
the purpose of implicating the petitioner.

Learned counsel for the State opposes the prayer and submits
that witness action has commenced.

I have perused the material on record. The petitioner is not
named in the FIR and the statement under Section 164 of the Code
of Criminal Procedure. He appears to be the nephew of the principal
accused and was seen with the principal accused by two witnesses
on the date of incident. The mobile phone was recovered from an
open field after about one month of his arrest.

Considering the material on record as well as the extent of complicity of the petitioner in the alleged crime, this Court is of the view that further detention of the petitioner is not required and he may be released on bail.

Accordingly, the prayer for bail is allowed.

The petitioner, namely Byasdeb Rajowar 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, Krishnanagar, Nadia, subject to condition that he shall appear before the learned trial Court on every date of hearing. He shall not tamper with evidence or intimidate witnesses in any manner whatsoever.

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