

Item No.33

Ct.No.34

rc.

Allowed

C.R.M. (M) 98 of 2025

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure read with Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Bhadreswar Police Station Case No. 47 of 2025 dated 04.02.2025 under Sections 309(4)/310(2) of the Bharatiya Nyaya Sanhita, 2023.

And

In Re : **Soumen Sarkar @ David @ Somen Sarkar**
... Petitioner

Mr. Samrat Choudhury
Mr. Amit Dey ... for the Petitioner

Mr. Sardar Shahin Iman
Mr. Subhasish Datta ... For the State

Heard learned counsels for the parties.

The petitioner is in custody for about seventy-five days and prays for bail.

Learned counsel for the petitioner submits that the petitioner's mobile phone has been seized from him and there is no other material connecting him to the offence.

Learned counsel for the State produces the Case Diary and opposes the prayer for bail.

It appears that the investigation is in progress and there is no prima facie material in the Case Diary which requires custodial interrogation of the petitioner. The petitioner may be granted bail subject to stringent conditions.

Accordingly prayer for bail of the petitioner is allowed.

The petitioner **Soumen Sarkar @ David @ Somen Sarkar**, 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, Chandannagar, Hooghly subject to condition that the petitioner shall remain within the jurisdiction of the Bandel Police Station and shall meet the Investigating Officer once in a week till the submission of charge sheet. The petitioner shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to comply with any of the conditions as mentioned above 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.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)