

May 14, 2025

26 ARDR

(Allowed)

CRM (M) 110 of 2025

In Re : An Application for bail under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023 filed in connection with **Bolpur**
Police Station Case No. **346** dated **18/9/2021** under Sections
406/420/413/419 of the Indian Penal Code and under Sections
66/66C/66D/71 of the Information Technology Act.

And

In Re : Nirmal Kumar Sinha

... Petitioner.

Adv. Amajit De,

... for the petitioner.

Adv. Antarikhya Basu,

Adv. Santanu Talumdar,

... for the State.

Report submitted by the State is taken on record.

Learned counsel for the petitioner submits that the petitioner
is in custody for about 490 days. Most of the co-accused standing
on the same footing have been granted bail. There has not been
much progress in trial after his bail was rejected earlier. The
petitioner shall face trial if granted bail.

Learned counsel for the State opposes the prayer and submits
that sufficient incriminating material has transpired against the
petitioner during investigation. The petitioner was absconding for
two and half years which delayed progress in trial.

It appears that the prosecution intends to examine 41
witnesses out of whom only two witnesses have been examined till
date. Possibility of trial being concluded in near future is bleak. The
case is based on documentary documents which are in custody of
the investigating agency. Offences are triable by the learned
Magistrate.

In view of the above, 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 to secure his attendance before the learned trial Court regularly.

Accordingly, the prayer for bail is allowed.

The petitioner namely Nirmal Kumar Sinha 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, Bolpur, Birbhum, subject to the condition that he shall remain within the jurisdiction of Bolpur 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 concerned 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 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.)