

19.05.2025

Ct. No. 34
Item No. 22
Sws.M
Allowed

C.R.M. (M) 354 of 2025

In Re : An Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Saktipur Police Station Case No. 299 of 2024 dated 01.12.2024 under Sections 126(2)/117(2)/118(2)/109(1)/103(2)/3(5) of the Bharatiya Nyaya Sanhita 2023.

And

In Re : Abhijit Ghosh & Anr.

.....petitioners

Mr. Arnab Chatterjee
Mr. Avik Ghosh
Ms. Dhanesree Biswas
Ms. Paulomi Bose

... For the Petitioners.

Mr. Joydeep Roy
Ms. Ankita Paul

... For the State.

Mr. Navanil De
Mr. Srinjan Ghosh

... For the De-facto complainant.

The petitioners are in custody for more than 150 days and seeks parity with the co-accused who are on bail.

Learned counsel for the State does not oppose the said fact.

Learned counsel for the de-facto complainant opposes the prayer.

In view of the fact that the petitioners are similarly circumstanced with the co-accused who are on bail, they deserve the same benefit.

Accordingly the prayer for bail is allowed.

The petitioners namely, Abhijit Ghosh and Nadu Ghosh shall be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties of like amount

each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Berhampore, Murshidabad subject to condition that they shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court. They shall not tamper with evidence or intimidate witnesses in any manner whatsoever.

In the event the petitioners fail to adhere to any of the conditions stated hereinabove, the learned trial Court shall be at liberty to cancel their 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.)