

June 11, 2025

32 ARDR

(Allowed)

CRM (M) 433 of 2025

In Re : An Application for bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with **Kaliganj** Police Station Case No. **449** of **2024** dated **02/6/2024** under Sections **341/143/302** of the Indian Penal Code read with Sections **25/27** of the Arms Act.

And

In Re : Kalu Sk. @ Rahidul Sk. @ Kalu Mondal.

... Petitioner.

Adv. Sandip Chakraborty,

Adv. Balaram Datta,

Adv. Kaustav Das,

... for the petitioner.

Adv. Bibaswan Bhattacharya,

Adv. Subhajit Chowdhury,

... for the State.

The petitioner is in custody for more than eleven months and prays for bail.

Learned counsel for the petitioner submits that some of the co-accused similarly circumstanced with the petitioner have been granted bail by this Court earlier. Other co-accused have been discharged from the case.

Learned counsel for the State opposes the prayer.

The petitioner does not *prima facie* appear to be any of the principal assailants. Though statement of witness under Section 164 of the Code of Criminal Procedure names the petitioner as member of the gang who attacked the victim, no specific overt act has been attributed to him. Also, the co-accused similarly circumstanced with the petitioner have either been granted bail or discharged from the case.

Considering the material on record, particularly the extent of complicity of the petitioner in the alleged offence, this Court is of the

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

Accordingly, the prayer for bail is allowed.

The petitioner namely **Kalu Sk. @ Rahidul Sk. @ Kalu Mondal** 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, Nadia at Krishnanagar**, subject to condition that 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 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.)