

July 14, 2025

9 ARDR

(Allowed)

CRM (R) 69 of 2025

In Re : An Application for bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with **Mahishadal** Police Station Case No. **152** of **2025** dated **19/4/2025** under Sections **109/115(2)/117(2)/351(2)/74/76/85/3(5)** of the BNS, 2023.

And

In Re : Biswanath Maity & anr.

... Petitioners.

Adv. Golam Mastafa,
Adv. Tarasankar Samanta,

... for the petitioners.

Adv. Shaila Afrin,
Adv. Aritra Bhattacharya,

... for the State.

Heard learned counsels for the parties.

Learned counsel for the petitioners submits that the petitioners are the husband and the brother-in-law of the defacto complainant and have been falsely implicated.

The petitioners protested against certain immoral acts of the defacto complainant which led to the present complaint.

Learned counsels for the State and the defacto complainant oppose the prayer for bail.

I have considered the material on record.

Considering the statements of the witnesses recorded under Section 164 of the Code of Criminal Procedure and the injury report of the defacto complainant, this Court is of the view that custodial interrogation of the petitioners is not required and they may be released on bail subject to stringent conditions.

Accordingly, the prayer for bail is allowed.

The petitioners namely **Biswanath Maity and Jagannath Maity** 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, Haldia, Purba Medinipur**, subject to the condition that they shall remain outside the jurisdiction of Mahishadal Police Station and shall furnish the address where they shall presently reside before the learned trial Court, Investigating Officer and the Officer in charge of the concerned police station under whose jurisdiction they shall henceforth reside. They shall enter the said jurisdiction only for the purpose of meeting the Investigating officer of the case once a week till submission of the charge sheet. The petitioners shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioners fail to adhere to any of the conditions stated above, 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.)