

25.08.2025

Item No.27

Ct.No.34

rc.

Allowed

C.R.M. (M) 866 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 Kaliganj Police Station Case No. 01 of 2024 dated 01.01.2024.

And

In Re : **Babar Ali Sk @ Babu Sk @ Sekh.**

... Petitioner

Mr. Sandip Chakraborty

Mr. Anarul Islam

Mr. Sourav Mukherjee

Mr. Kaustav Das

... for the Petitioner

Md. Anwar Hossain

Mr. Sanjida Sultana

... for the State

Supplementary affidavit filed by the petitioner is taken on record.

Heard learned counsels for the parties.

There has been a change in circumstance of the case after bail prayer of the petitioner was turned down on May 16, 2025.

It appears from the supplementary affidavit that the petitioner's sister lodged a FIR against the defacto complainant and her entire family and there was an allegation under Section 376 of the Indian Penal Code against the husband of the defacto complainant. As a

retaliation, the present FIR has been lodged. The medical report of the victim does not corroborate the prosecution case. The petitioner is in custody since March 21, 2025. Material available in the case diary does not justify further detention of the petitioner.

Accordingly, prayer for bail is allowed.

The petitioner **Babar Ali Sk @ Babu Sk @ Sekh**, 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 remain within the jurisdiction of Kaliganj Police Station and shall appear before the learned trial Court on every date of hearing. He 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 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.)