

07.07.2025
SI No.33
Mujahid
Ct No.25
(**Allowed**)

CRM (M) 921 of 2025

In Re: An application for bail under Section 483 of the B.N.S.S., 2023 filed on **30.06.2025** in connection with **Berhampore** Police Station Case No. **1596 of 2024** dated **16.10.2024** under Sections **103(1)/3(5)** of the B.N.S., 2023 read with Sections 25/27 of the Arms Act, 1959.

And

In the matter of : **Bubai Das**

... Petitioner.

Mr. Sekhar Kumar Basu, Sr. Adv.,
Mr. A. Basu,
Mr. Sayan Mukherjee

... for the petitioner.

Mr. Ankit Mitra,
Mr. Soumyadip Saha

... for the State.

1. Learned senior counsel for the petitioner submits that the case of the prosecution is that on 16th October, 2024, deceased Pradeep Dutta was shot dead allegedly by Akash and Paresh. Learned senior counsel submits that the petitioner was arrested on 18th October, 2024 without any cogent incredible material on record. Learned senior counsel further submits that the investigation is complete and the charge-sheet has been filed. It has further been submitted that petitioner is in custody for the last more than eight and half months.

2. Learned counsel for the State has fairly submitted that as per the version of eye-witnesses, deceased was gunned by co accused Akash and Paresh who are in custody. Learned counsel

submits that in fact the motor-cycle No. WB 58H2479 on which co-accused Akash and Paresh were travelling is owned by the present petitioner. Admittedly, the motor-cycle was recovered from the possession co-accused Akash. Thus, the only allegation/material against the petitioner is that his vehicle was used for the commission of offence. The charge-sheet has already been filed.

3. Thus, taking into account, the facts and circumstances, petitioner is admitted to grant bail on furnishing a personal bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of learned Chief Judicial Magistrate, Berhampore, Murshidabad. Subject to condition (i) That the petitioner shall not visit the jurisdiction of Berhampore Police Station except for attending the case or to meet the investigating officer; (ii) That the petitioner shall not threaten, intimidate or contact the victim in any manner; (iii) That petitioner shall not change the address given in the bail bond on affidavit without permission of the learned trial court; (iv) That the petitioner shall also inform his mobile number on which he would remain available; and (v) That the petitioner shall not travel abroad without permission of the learned trial court.

4. The application for bail is allowed.

5. All parties shall act on the basis of the server copy of the order downloaded from the official website of this Court.

6. Urgent Photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Dinesh Kumar Sharma, J.)