

15.07.2025

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jb.

jdt.

Partly Allowed

C.R.M. (R) 85 of 2025

In Re : An Application under Section 439 of the Code of Criminal Procedure/under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Paikar Police Station Case No. 104 of 2024 dated 13.04.2024 under Sections 448/341/325/307/302/120B and 506 of the Indian Penal Code.

And

In Re : Purnu Mal @ Purnendu Mal & Ors.

Mr. Rajendra Banerjee

Mr. Joy Chakraborty

Mr. Souvik Ganguly

... For the Petitioners.

Mr. Soumik Ganguly

Asraf Mondal

... For the State

Heard learned counsels for the parties.

The bail prayer is not pressed in so far as the first petitioner namely Purnu Mal @ Purnendu Mal is concerned.

Learned counsel for the petitioners submits that the petitioner nos. 2 and 3 are in custody for more than 400 days. The said petitioners are not involved in the alleged incident. Charge sheet has been submitted.

Learned counsel for the State opposes the prayer.

Perused the material on record.

The petitioner nos. 2 and 3 do not appear to be the principal assailants. The injuries allegedly inflicted by the said petitioners are not serious. Charge sheet has been submitted.

In view of the above, this Court is inclined to hold that further detention of the petitioner nos. 2 and 3 is not required.

The said petitioners may be released on bail.

Accordingly, the prayer for bail of the petitioner nos. 2 and 3 is allowed.

The petitioner nos. 2 and 3 namely Abhijit Mal and Koushik Mal 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, Rampurhat, Birbhum subject to condition that the petitioner nos. 2 and 3 shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court and shall not tamper with evidence or intimidate witnesses in any manner whatsoever.

In the event the petitioner nos. 2 and 3 fail to appear before the learned trial Court on any date fixed for hearing without any justifiable cause, the learned trial Court shall be at liberty to cancel the bail of the said petitioners 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.)