

01.08.2025

Item No.28
Court No. 25
Sudipta

Allowed

CRM (M) 1047 of 2025

In Re: An application for Bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 in connection with Nandakumar
Police Station Case No. 290 of 2024 dated April 30, 2024 under
Sections 302 / 201 / 120B of the IPC.

And

In Re : **Sk. Alamgir Badsa**

.....Petitioners

For the Petitioner :

Mr. Navanil De

Mr. Subhrajit Dey

.....Advocates

For the State :

Ms. Anasuya Sinha, Ld. APP

Ms. Nandini Chatterjee

.....Advocates

1. Learned counsel for the petitioner submits that the last bail application of the petitioner was dismissed by the Hon'ble Division Bench of this Court on 13th September, 2024. Learned counsel submits that thereafter seven witnesses have been examined and none of them has deposed anything incriminating against the present petitioner. Learned counsel has taken the Court through the testimony of PW1 to PW7. Learned counsel submits that other co-accused have already been admitted to bail. The petitioner is in custody since 30th April, 2024. The trial may be taken long time and, therefore, petitioner may be admitted to bail.

2. Learned counsel for the State has opposed the bail application. Learned counsel has placed on record the status report of S.I. Ranjit Manna, Nandakumar P.S. Learned counsel submits that the presence of the petitioner on the spot is established from the call detail records. Learned counsel submits that in fact this case is based on circumstantial evidence and there is no eye witness.
3. The Court has considered the submissions. Allegedly, the petitioner and mother of the victim had illicit relation. The deceased was a 20-year body and staying in Bangalore and he had come to attend a marriage. Allegedly, the petitioner along with the mother of the deceased and other member of the family caused the death of the deceased and thrown his body into the nearby pond. The gist of the statements under Section 161 Cr.P.C. of all the material witnesses have been placed on record. At the stage of bail, the Court has only to see the prima facie case. At the stage the testimony of the prosecution witnesses cannot be meticulously examined. The probative value of the witnesses is to be seen and appreciated at the final stage.
4. Taking into account that the testimony of the witnesses examined so far and the period of incarceration, let the petitioner be admitted to Court bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand Only), with two surety of like amount of each, to the satisfaction of the Learned CJM, Purba Medinipur at Tamruk, subject to the conditions that the petitioner shall appear before the learned Trial Court on

every date of hearing and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

5. Thus, the prayer for bail is allowed.
6. CRM (M) 1047 of 2025 is disposed of.
7. Urgent Photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all necessary formalities.

(Dinesh Kumar Sharma, J.)