

19.08.2025

17

jb.

jdt.

Allowed

**C.R.M. (M) 1074 of 2025**

In Re : An Application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Santiniketan Police Station Case No. 222 of 2024 dated 06.09.2024 108/318(4)/336(3)/111 of the Bharatiya Nyaya Sanhita and Sections 66C and 66D of the Information Technology Act.

And

In Re : **Faiyaz Ali**

... Petitioner.

Mr. Milon Mukherjee

Mr. Subhajit Chowdhury

... For the Petitioner.

Mr. Saryati Dutta

Ms. Suruchi Saha

... For the State

The petitioner is in custody for about 330 days and prays for bail.

Learned counsel for the petitioner submits that the petitioner is similarly circumstanced with the co-accused who have been granted bail by this Court earlier.

Learned counsel for the State opposes the prayer.

I have considered the material on record.

The petitioner is not named in the FIR.

It appears from the statement of the victim's mother recorded under Section 161 of the Code of Criminal Procedure that on request of the victim she transferred Rs. 90,000/- to the victim's account on 21<sup>st</sup> August, 2024. The bank statement of the victim indicates that the said amount was transferred by the victim on the same date to the petitioner. But there is no prima facie material on record to suggest that transfer of the said amount has anything to do with the alleged offence or the petitioner being involved in the gaming App. Whether the said

amount was transferred by the victim to the petitioner in course of the game shall be assessed at the appropriate stage of trial.

Considering the material on record and extent of complicity of the petitioner in the alleged crime, this Court is of the view that further detention of the petitioner is not required and he may be granted bail.

Accordingly, the prayer for bail is allowed.

The petitioner namely Faiyaz Ali shall 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 Additional Chief Judicial Magistrate, Bolpur, Birbhum subject to condition that he 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 fails 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 his 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.)**