

22.09.2025

Item No.34

Ct.No.34

rc.

Allowed

C.R.M. (M) 1094 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 Pandua Police Station Case No. 368 of 2024 dated 29.06.2024.

And

In Re : **Subhankar Bauldas**

... Petitioner

Mr. Ankit Agarwal

Mr. Alotriya Mukherjee

Mr. Arpita Paul

... for the Petitioner

Mr. Kaushik Kundu

Ms. Dhanasree Biswas

... for the State

Heard learned counsels for the parties.

The petitioner is in custody for more than a year and renews his prayer for bail.

Learned counsel for the petitioner submits that one of the co-accused similarly placed with the petitioner has been granted bail earlier.

Learned counsel for the State opposes the prayer.

I have considered the material on record. It appears from the postmortem report of the victim that besides the alleged physical assault, the victim had enlarged heart. Whether such condition of his heart added to the injuries in causing his death shall be assessed at the appropriate stage of proceeding. The victim appears to have been assaulted by

the petitioner and other co-accused jointly. One of the co-accused similarly circumstanced with the petitioner has been granted bail. No prayer for cancellation of his bail has been made on behalf of the State till date. No specific overt act has been attributed to the petitioner in the alleged assault.

Considering the material on record and extent of involvement of the petitioner in the alleged crime, this Court is of the view that further detention of the petitioner is not require and may be released on bail subject to stringent conditions.

Accordingly, prayer for bail is allowed.

The petitioner **Subhankar Bauldas**, 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, Hooghly subject to condition that he shall remain outside the jurisdiction of Pandua Police Station and shall furnish the address where he shall presently reside before the learned trial Court, Investigating Officer and the Officer in Charge of the concerned police station under whose jurisdiction he shall henceforth reside. He 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 is 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.)