

August 25, 2025

40 ARDR

(Allowed)

CRM (M) 1108 of 2025

In Re : An Application for bail under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023 filed in connection with
Berhampore Police Station Case No. **992** of **2023** dated
20/7/2023 under Sections **341/376(D)/379/506/34** of the Indian
Penal Code

And

In Re : Palash Mondal & anr.

... Petitioners.

Adv. Sabir Ahmed,
Adv. Tasnim Ahamed,
Adv. Dhiman Banerjee,

... for the petitioners.

Adv. Mazhar Hossein,
Adv. Chandrima Debnath,
Adv. Sk. Qareeb,
Adv. Sahin Sultana,

...for the de facto complainant.

Adv. Sanjay Bardhan,
Adv. Rituparna Saha,

... for the State.

The petitioners seek parity with the co-accused who has been
granted bail by this Court earlier.

Learned counsels for the State and the defacto complainant
oppose the prayer and submit that the custody of the petitioner is
eight months shorter than that of the co-accused on bail. Trial of
the case has progressed satisfactorily and three witnesses are left to
be examined.

I have considered the material on record. The earlier order
granting bail to one of the co-accused records contradictions in the
statements of the victim lady under Section 164 of the Code of
Criminal Procedure and her examination in Court. The petitioners
appear to be similarly circumstanced with the co-accused on bail
and deserve the same benefit.

Accordingly, the prayer for bail is allowed.

The petitioners namely **Palash Mondal and Sambhu Das** be released on bail upon furnishing bond of Rs.50,000/- (Rupees fifty Thousand only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned **Chief Judicial Magistrate, Berhampore, Murshidabad**, subject to the condition that they shall remain outside the jurisdiction of **Berhampore Police Station** Court and shall furnish the address where they shall presently reside before the learned trial Court, Investigating Officer and the Officer in charge of the concerned police station under whose jurisdiction they shall henceforth reside. They shall appear before the learned trial Court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioners fail to adhere to any of the conditions stated above, the learned trial Court shall be at liberty to cancel their 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.)