

01.08.2025

Sl. no. 43

Ct. No. 25

P.M.

(Allowed)

C.R.M. (M) 1131 OF 2025

In Re : An application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 in connection with GR Case No. 985 of 2025 arising out of Kalna Police Station Case No. 453 of 2025 dated 26.04.2025 under Sections 108/61(2)/74/3(5) of the BNS, 2023.

And

In the matter of : **Jahangir Sk. & Anr.**

.... Petitioner

Ms. Minoti Gomes,
Mr. Dhananjay Banerjee,
Mr. Pralay Hazra

.... For the petitioner

Mr. Soumya Bhattacharya,
Ms. Puja Goswami

... for the State

1. The facts in brief is that the present case has arisen out of complaint by one Yeasin Sekh alleging therein that her elder son namely Yakub Sekh went to meet a woman. Allegedly the accused person wrongfully harassed and humiliated the victim and the lady. The incident was recorded and shared through whatsapp. It has been alleged that the present petitioner abetted the suicide and their name has also appeared in the suicide note.
2. Learned counsel submits that the petitioners are in custody for the last more than ninety days.

3. Learned counsel for the State submits that since the name of the petitioners have appeared in the suicide note they may not be released on bail.
4. Charge sheet has been filed.
5. Admittedly the hand writing expert report has not come and the trial may take long time. There will be no purpose of keeping the accused person in custody. The bail cannot be denied as a punishment during trial.
6. Thus taking into account, facts and circumstances, the petitioners are admitted to bail upon furnishing a Bond of Rs. 10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Kalna, Purba Bardhaman subject to the following conditions :
 - i. The petitioners shall not contact any of the prosecution witnesses in any manner.
 - ii. The petitioners shall meet the investigating officer as and when directed.
 - iii. The petitioners shall not shift her residence nor shall travel abroad without permission of the learned trial court.
7. The application for bail being CRM(M) 1131 of 2025 is, thus, disposed of.

8. All parties shall act on the basis of the server copy of this order.
9. Urgent photostat certified copy of this order, duly applied for, be given to the parties upon compliance of all usual requisite formalities.

(Dinesh Kumar Sharma, J.)