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25.08.2025
Ct.No.34
b.das
Allowed

C.R.M. (M) 1141 of 2025

In Re : An application for bail under Section 483 of the BNSS, 2023 filed in connection with Nakashipara P.S. Case No. 477 of 2025 dated 11.05.2025 under Sections 115(2)/118(2)/109/3(5) of the BNS, 2023.

And
In Re : **Swapan Shikdar** ... Petitioner.

Mr. Santanu Talukdar
Mr. Priyankar Ganguly
Ms. Shalini Bairagi ... for the Petitioner.

Mr. Sanjay Bardhan
Ms. Trina Mitra ... for the State.

Heard learned counsels for the parties.

The petitioner is in custody for more than 100 days and prays for bail.

Learned counsel for the petitioner submits that the incident occurred at the spur of the moment and there was no premeditation of the part of the petitioner in assaulting the victim.

Learned counsel for the State opposes the prayer.

It is a fact that the petitioner is the principal assailant who dealt the blow on the victim. The offending weapon has been recovered at the instance of the petitioner. The petitioner is in custody for more than 100 days. Charge sheet has been submitted. The victim has been discharged from the hospital. Further detention of the petitioner is not required and he may be released on bail.

Accordingly, prayer for bail is allowed.

The petitioner namely **Swapan Shikdar** 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, Nadia at Krishnanagar subject to condition that he shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court. He shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the learned trial Court on any date 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 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.)