

29
16.09.2025
Ct.No.34
b.das
Allowed

C.R.M. (M) 1191 of 2025

In Re : An application for bail under Section 483 of the BNSS, 2023 filed in connection with Salboni P.S. Case No. 79 of 2025 dated 31.03.2025 under Sections 64(2)(e)/76/351(2)/318(4)/340(2)/336(3)/126(2)/351(2)/3(5) of the BNS, 2023.

And

In Re : **Prithwiraj Maity** ... Petitioner.

Mr. Sourav Chatterjee
Mr. Avik Ghatak
Mr. Soham De Dhara
Mr. Akash Ghosh ... for the Petitioner.

Ms. Sukanya Bhattacharya
Ms. Sana Naaz ...for the State.

Mr. A. R. Pati
Ms. Swastika Chowdhury
Ms. K. Kubra
Mr. A. Goswami
Mr. A. Chatterjee ...for the de facto complainant.

Heard learned counsels for the parties.

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

Learned counsels for the State and the de facto complainant oppose the prayer.

I have considered the material on record. Allegation against the petitioner is that he is a typist of the diagnostic centre. He posed himself to be the pathologist, conducted USG of the victim and issued report in her favour. It is alleged that taking advantage of the fact that initial of the name of the petitioner matches with Dr. Partha Pratim Maity who is attached to the diagnostic centre as a doctor the petitioner has personated him and treated patients and also

conducted pathological tests in the name of the actual doctor. The signature of doctor P. Maity appears in the USG report given to the victim lady. None of the signatures has been sent to the QDEB for examination/verification. Also, the victim lady has refused medical examination. Strangely, despite allegations of molestation/rape at the time of conducting the USG, the entire process was allowed to be completed and a report prepared thereto. Charge sheet has been submitted.

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

Accordingly, the prayer for bail is allowed.

The petitioner namely **Prithwiraj Maity** 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, Paschim Medinipur 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.)