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09.09.2025
Ct.No.34
b.das
Allowed

C.R.M. (M) 1220 of 2025

In Re : An application for bail under Section 483 of the BNSS, 2023 filed in connection with Mohanpur P.S. Case No. 87 of 2025 dated 19.05.2025 under Sections 329(4)/64(1)/115(2)/118(1)/351(2) of the BNS, 2023.

And

In Re : **Uttam Roul**

... Petitioner.

Mr. Sanjib Bandyopadhyay

Mr. Pritam Das

... for the Petitioner.

Ms. Sukanya Bhattacharyya

Mr. Rajes Jana

... for the State.

Affidavit of service filed by the petitioner is taken on record.

The victim is not represented despite service.

Heard learned counsels for the parties.

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

Learned counsel for the State opposes the prayer.

I have considered the material on record. It appears that the petitioner owes Rs.1 lakh from the husband of the de facto complainant which was given as loan to the latter. When the petitioner went to the said husband for recovery of the loan, he was brutally assaulted and had to be hospitalized. He lodged a complaint against the de facto complainant's husband and a criminal case was registered which is pending. The present complaint, according to the petitioner, is in retaliation to the earlier complaint lodged by the petitioner.

Though some injuries are found in the medical report of the victim, it does not appear to be as grievous as reflected in the written complaint.

Considering the material on record and pendency of earlier complaint lodged by the petitioner, this Court is of the view that further detention of the petitioner is not required and he may be released on bail subject to stringent conditions.

Accordingly, prayer for bail is allowed.

The petitioner namely **Uttam Roul** 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 Medinipore subject to condition that he shall remain outside the jurisdiction of Mohanpur P.S. and shall furnish the address where he shall henceforth reside before the learned trial Court, investigating officer and the Officer in charge of the concerned P.S under whose jurisdiction he shall presently reside. The petitioner shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court and 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 as stated 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 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.)