

11.09.2025

43

jb.

jdt.

Allowed

C.R.M. (M) 1290 of 2025

In Re : An Application under Section 439 of the Code of Criminal Procedure/under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Dhubulia Police Station Case No. 115 of 2025 dated 17.03.2025 under Sections 126(2)/118(2)/109/76/3(5) of the Bharatiya Nyaya Sanhita .

And

In Re : Kartick Ghosh @ Raju and Others.

Mr. Prabir Majumder

Mr. Snehansu Majumder

... For the Petitioners.

Mr. Avijit Ganguly

Mr. S. S. Saha

... For the State

The petitioners are in custody for about 87 days and pray for bail.

Learned counsel for the State opposes the prayer.

I have considered the material on record.

The petitioners and the victim are the members of the same family. In a free fight that ensued between them, the first petitioner as well as the victim sustained injuries. Case and counter case are pending between the parties, the petitioners' complaint being prior in time. Charge sheet has been submitted. Material available in the case diary does not justify further detention of the petitioners.

Accordingly, the prayer for bail is allowed.

The petitioners namely Kartick Ghosh @ Raju, Amal Ghosh and Soumen Ghosh shall be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten 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, Nadia at Krishnagar subject to condition that they shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court. They shall not tamper with evidence or intimidate witnesses in any manner whatsoever.

In the event the petitioners fail to appear before the learned trial Court on any date fixed for hearing without any justifiable cause, 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.)