

September 16, 2025

35 ARDR  
(Allowed)

**CRM (M) 1386 of 2025**

In Re : An Application for bail under Section 483 of Bharatiya  
Nagarik Suraksha Sanhita, 2023 filed in connection with **Dhubulia  
Police Station** Case No. **325** of **2023** dated **10/7/2023** under  
Sections **302/201/34** of the Indian Penal Code and Sections  
**3(1)(c)(2)(v)** of the SC and ST (POA) Act.

And

In Re : Sanatan Biswas

... Petitioner.

Adv. Prabir Majumder,

... for the petitioner.

Adv. Kalyan Kumar Chakraborty,

Adv. Gopal Krishna Sarkar,

Adv. Subhamoy Bhattacharya,

..for the de facto complainant.

Adv. Ranabir Roy Chowdhury,

Adv. Arani Bhattacharyya,

... for the State.

On prayer of the petitioner liberty is granted to correct the  
cause title of the application.

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

Learned counsels for the State and the defacto complainant  
oppose the prayer.

I have considered the material on record.

Charge sheet has been submitted against the petitioner under  
Section 3(1)(c)(2)(v) of the Scheduled Castes and Scheduled Tribes  
(Prevention of Atrocities) Act. Though seven other persons were  
implicated by the defacto complainant, they have been discharged  
since they belong to the scheduled caste/tribe.

Learned counsel for the defacto complainant submits that a  
writ petition is pending before this Court seeking investigation by  
the central agency since no allegation has been levelled against the

petitioner under Section 302 of the Indian Penal Code in the charge sheet. It is evident from the Case Diary that no prima facie material has been collected against the petitioner under Section 302 of the Indian Penal Code.

Whether the conduct of the petitioner shall attract offence under the Scheduled Castes and Schedules Tribes (Prevention of Atrocities) Act shall be assessed at the appropriate stage of the proceedings.

Considering the material available in the Case Diary particularly the extent of complicity of the petitioner in the offence stated in the charge sheet, this Court is of the view that further detention of the petitioner is not required. He may be released on bail subject to stringent conditions.

Accordingly, prayer for bail is allowed.

The petitioner namely **Sanatan Biswas** 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, Krishnanagar at Nadia** subject to the condition that the petitioner shall remain outside the jurisdiction of **Dhubulia** police station 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 police station under whose jurisdiction he shall presently reside. The petitioner shall appear before the learned trial Court on every date of hearing 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 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 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.)**