

17.09.2025

54

jb.

jdt.

Allowed

C.R.M. (M) 1463 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 Mogra Police Station Case No. 272 of 2025 dated 07.06.2025 under Sections 318(2)/64(2)(m)/316(2)/77/329(4)/117(2)/89/351(2)/3(5) of the Bharatiya Nyaya Sanhita.

And

In Re : Sanju @ Sanjay Biswas @ Santu Biswas @ Sanjoy Biswas

Mr. Sujan Chatterjee

Mr. Rohan Bavishi

... For the Petitioner.

Md. Adil Badr

Ms. Pushpita Saha

... For the State

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

Victim is not represented despite service.

Learned counsel for the petitioner submits that the petitioner is in custody for 80 days and prays for bail.

Learned counsel for the State opposes the prayer.

There appears to be a consensual relationship between the petitioner and the victim, both of them being majors. The victim was aware of the consequences of the said relationship. Besides the statement of the victim under Section 164 of the Code of Criminal Procedure, there is no prima facie material to suggest demand of money or circulation of photos by the petitioner.

Considering the material on record and 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. He may be released on bail.

Accordingly, the prayer for bail is allowed.

The petitioner namely Sanju @ Sanjay Biswas @ Santu Biswas @ Sanjoy Biswas shall 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, Hooghly at Chinsurah subject to condition that he shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court and shall not tamper with evidence or intimidate witnesses in any manner whatsoever.

In the event the petitioner fails 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 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.)

