

24.09.2025

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jb.

jdt.

Allowed

C.R.M. (M) 1558 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 Harirampur Police Station Case No. 25 of 2025 dated 03.02.2025 under Section 137(2) of the Bharatiya Nyaya Sanhita.

And

In Re : Angod Sarkar @ Bhishmadeb Sarkar

Mr. Kaushik Choudhury

Mr. Rakesh Jana

... For the Petitioner.

Mr. Anand Keshari

Mr. S. S. Saha

... For the State

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. The dead body of the victim was recovered after about 45 days of the incident. Investigation started thereafter. Besides recovery of the motor cycle and bicycle of the victim pursuant to the leading statement of the petitioner, there is no other material on record prima facie implicating the petitioner in the alleged offence. The case is based on circumstantial evidence. Charge sheet has been submitted. Material available in the case diary does not justify further detention of the petitioner.

Accordingly, the prayer for bail is allowed.

The petitioner namely Angod Sarkar @ Bhishmadeb Sarkar 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 Additional Chief Judicial Magistrate, Gangarampur at Buniadpur, Dakshin Dinajpur 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.)