

10.11.2025

Item No.29

Ct.No.35

dc.

Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (M) 1667 of 2025

In Re : An Application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Krishnagar Kotwali Police Station Case No. 390 of 2025 dated 30.03.2025 under Sections 126(2)/117(2)/123/103/3(5) of the Bharatiya Nyaya Sanhita, 2023 (G.R. Case No. 2497 of 2025).

And

In Re : **Haradeb Majhi**

... Petitioner.

Mr. Prabir Majumder,
Mr. Snehansu Majumder,
Ms. Anindita Kundu

... For the Petitioner.

Mr. Arijit Ganguly,
Mr. Karan Bapuli

... For the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for about 7 months 10 days and the name of the petitioner do not appear in the FIR and has been subsequently incorporated by way of statements recorded under Section 180 of BNSS. According to the petitioner, even the witnesses whose statements were recorded under Section 164 of the Code of Criminal Procedure do not name the present petitioner. Attention of the Court has also been drawn to the evidence of the wife of the victim who has deposed before the court in respect of the version of the deceased at the time while he was in deathbed.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and draws the attention of the Court to the statements of the witnesses.

I have taken into account the overall circumstances of the case including the period of detention. *Prima facie*, I am of the opinion that the evidence of the wife of the deceased, at this stage, dilutes the case against the present petitioner and points finger to the other accused. Having regard to the same, I am inclined to release the petitioner on bail. As such, the prayer for bail of the petitioner is **allowed**.

Accordingly, the petitioner viz., **Haradeb Majhi** shall be released on bail upon furnishing bond of Rs.20,000/-, with two sureties of Rs.10,000/- each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Nadia.

If on bail, the petitioner shall be physically present on each and every date so fixed by the learned Trial Court and shall not leave the jurisdiction of the district of Nadia without the leave of the learned Trial Court.

Photostat copy of the deposition of witness no.1 submitted by the learned advocate appearing for the petitioner be kept with the record.

Case diary be returned to learned advocate appearing for the State.

The application for bail, being CRM (M) 1667 of 2025, is, thus, disposed of.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)