

03.12.2025

Court No.35.

M/L. 122.

Kausik

(Allowed)

CRM (M) 1655 of 2025

In Re: An Application for Bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023/ Section 439 of the Code of
Criminal Procedure, 1973 in connection with Nabadwip Police
Station Case No. 218 of 2024 dated 05.04.2024 under Section
341/323/326/307/302/506/34 of the Indian Penal Code;

And

In the matter of : Sukhen Kirtaniya

.....Petitioner.

Mr. Atis Kumar Biswas

Mrs. Jyoti Agarwal

.....for the Petitioner.

Mr. Bitasok Banerjee

Mr. Sandip Kundu

.....for the State.

Petitioner is in custody for 1 year and 3 months and
after the charge sheet has been submitted, charges have been
framed, presently 5 witnesses out of the proposed 25 witnesses
have been examined.

Learned advocate submits that the incident complained
of, even if it is accepted in its entirety, lacks culpability so far
as the petitioner is concerned.

Learned advocate for the State opposes the prayer for
bail, draws the attention of the Court to the dying declaration
of the victim, the post-mortem report and the statement of the
witnesses.

Having considered the period of detention of the
petitioner and that there are no adverse report that the

petitioner is trying to tamper with any evidence and/or attempting to flee away from the process of law, I am inclined to release the petitioner on bail.

Consequently, the prayer for bail of the petitioner is allowed.

Petitioner, namely, **Sukhen Kirtaniya** shall furnish bond of Rs. 20,000/- (Rupees Twenty Thousand Only) with two sureties of Rs. 10,000/- (Rupees Ten Thousand Only) each. One of whom must be local to the satisfaction of Learned ACJM, Nabadwip.

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

Accordingly, CRM (M) 1655 of 2025 is allowed.

Additionally, in view of the prayer advanced by the prosecution, the petitioner would reside outside the jurisdiction of ACJM, Nabadwip and will enter the said jurisdiction only for the limited purposes of attending the Court.

All parties shall act in terms of server copy of the order 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.)