

17.11.2025
Court No.35.
D/L. 19.
Rakib
(Allowed)

CRM (M) 1703 of 2025

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Swarupnagar Police Station Case No. 514 of 2023 dated 16.08.2023 under Sections 447/325/326/307/302/354B/509/506/34 of the Indian Penal Code.

And

In the matter of : Arjun Mondal & Anr.

.....Petitioners.

Mr. Kallol Kumar Basu
Mr. Md. Jannat Ul Firdous
Mr. Rajsekhar Hota

.....for the Petitioners.

Mr. Ranadeb Sengupta
Mr. Sarthak Mondal

.....for the State.

Learned advocate appearing for the petitioners submits that the petitioner no.1 is in custody for two years and three months and petitioner no.2 for two years and two months. Learned advocate submits that one of the accused has already been granted bail in CRM (M) 22 of 2025, as such the petitioners may be released on bail in spite of the fact that 12 out of the proposed 19 witnesses have been examined.

On the other hand learned advocate for the State opposes the prayer for bail and submits that the case is at the advanced stage as prosecution proposes to examine 17 witnesses and out of which 12 witnesses have been examined. The evidence of two witnesses namely, Asadur Jamman Gazi and Bhabanath Mondal have been relied upon by the learned advocate appearing for the State.

I have considered their subsequent evidence before the learned trial Court, both the witnesses were declared hostile. Having regard to the change of circumstances further detention of the present petitioners are unwarranted. Accordingly, the prayer for bail of the petitioners is allowed.

The petitioners namely, **Arjun Mondal** and **Akash Mondal** 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 the learned Additional Chief Judicial Magistrate, Basirhat.

If on bail, the petitioners shall not leave the jurisdiction of the Swarupnagar Police Station without informing the Inspector-in-Charge of Swarupnagar Police Station except for the limited purpose of attending the Court.

Accordingly, CRM (M) 1703 of 2025 is **allowed**.

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

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.)