

03.11.2025
Court No.35.
M/L. 17.
Rakib
(Allowed)

CRM (M) 1765 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 Kumarganj Police Station Case No. 0246 of 2025 dated 05.07.2025 under Sections 137(2)/140(3)/103(1)/238(a) of the Bharatiya Naya Sanhita, 2023.

And

In the matter of : Bijay Kisku.

.....Petitioner.

Mr. Amitabha Ghosh
.....for the Petitioner.

Mr. Antarikhya Basu
Mr. Debanik Dey.
.....for the State.

Learned advocate appearing for the petitioner submits that the petitioner was taken into custody in connection with the instant case on or about 8th of July, 2025 and since then he is in custody. It has been further contended that the charge-sheet has already been submitted, however, the police authorities have prayed for further time in order to submit supplementary charge-sheet. Learned advocate for the petitioner has prayed for bail on stringent conditions.

Learned advocate appearing for the State has opposed the prayer for bail and drawn the attention of the Court to the statements of two witnesses under Section 164 of the Code of Criminal Procedure.

The present petitioner happens to be a relation and he was last seen with the deceased who is a minor girl. The case is

based on circumstantial evidence. At this stage this Court reserves its opinion so far as the other materials are concerned. Having considered the period of custody already undergone, I am inclined to release the petitioner on bail.

Accordingly, the petitioner i.e. Bijay Kisku shall furnish bond of Rs. 20,000/- (Rupees Twenty Thousand only), with two sureties of like amount each, one of whom must be local to the satisfaction of the learned Chief Judicial Magistrate, Dakshin Dinajpur. If on bail, the petitioner would meet with the Investigating Officer once in a week till further orders. The petitioner shall not leave the jurisdiction of Kumarganj Police Station without the leave of the learned Chief Judicial Magistrate, Dakshin Dinajpur or the Trial Court.

Accordingly, CRM (M) 1765 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.)