

Vacation
Bench
DL.20
16-10-2025
Ct. No.16
Saikat
(Allowed)

CRM(M)/1846/2025

**MIKAIL SK.
VS.
STATE OF WEST BENGAL**

In Re: Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita filed in connection with Karimpur P.S. Case No.186/2024 dated 14.10.2024 under Sections 103/238/3(5) of Bharatiya Nyaya Sanhita, 2023, and under Sections 25/27 of the Arms Act and adding Sections 303(2)/317(2) of the BNS, 2023.

Mr. Jaydeep Biswas, Adv.
Mr. Anarul Islam, Adv.
Mr. Kaushik Gupta, Adv.
Mr. Gourab Ray, Adv.

...For the Petitioner

Mr. Jaydeep Ray, Adv.
Mr. Md. Ejaz Akhtar, Adv.

...For the State

1. It is submitted by the learned counsel appearing for the petitioner that the petitioner is in custody about ten months and he was not FIR named accused person and on the basis of statement of the co-accused, subsequently his name was incorporated in the charge-sheet. It is further submitted that there are number of accused persons involved in the instant case but the petitioner is better footed persons other than the accused persons who were granted bail by a co-ordinate Bench of this Court. That apart, only an old iron-made sharp cutting knife was recovered from the petitioner.
2. The learned advocate for the Prosecution raises objection.

3. Having heard the submission of the learned advocates appearing for the parties, peruse the materials on record in the voluminous case diary placed before this Court and going through the written complaint there is no doubt that the nature of offence is serious. However, it appears that only an old iron, sharp knife without having blood stain was recovered from the present accused. Other co-accused persons were enlarged on bail.
4. Considering the entire facts and circumstances, the period of detention, the role attributed by the petitioner and the charge-sheet has been submitted, this Court is of the view that the bail of the petitioner can be considered.
5. Accordingly, the same stands allowed.
6. Accordingly, the petitioner shall be released on bail upon furnishing a bond of Rs. 25,000/- with two sureties and one must be local to the satisfaction of the learned Additional Chief Judicial Magistrate, Tehatta, Nadia and on condition that the petitioner shall not enter the said village till completion of the trial. He shall furnish his new residential address to the Investigating Officer and will not try to influence the investigation and the witnesses directly or indirectly and also shall not tamper with the evidence in any manner and he shall appear before the learned trial court on each and every date as fixed by the trial court. If he fails to comply with and/or adhere to the above conditions, the learned trial court is at liberty to cancel the bail of the petitioner in accordance with law.
7. The application being CRM(M) No.1846 of 2025 is, thus, disposed of.

8. Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance of all requisite formalities.
9. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

[CHAITALI CHATTERJEE (DAS), J.]