

09.10.2025  
Vacation Bench  
(D/L 15)  
Ct. No.7  
Allowed  
(S.M.)  
(B.K.N.)

**CRM (M) 1910 of 2025**

In Re:- An application for bail under section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 in connection with Sessions 60/2024 arising out of Kaliyaganj Police Station Case No. 539/2023 dated 24.12.2023 under sections 302/201/120B of the Indian Penal Code, 1860, now pending before the Court of the Learned District and Sessions Judge, Raiganj, Uttar Dinajpur.

In the matter of : Amal Sarkar

... Petitioner

Mr. Abir Ranjan Neogi,  
Mr. Moyukh Mukherjee,  
Mr. Karan Bapuli

... for the petitioner

Mr. Prosun Kumar Dutta,  
Ms. Singdha Saha

... for the State

1. Learned advocate for the petitioner and the learned advocate for the State are present.
2. Heard learned advocate for the parties.
3. Perused the materials in the case diary.
4. The petitioner in the instant case is in custody for about one year ten months and the trial of the instant case has commenced.
5. However, upon perusal of the case diary it appears that the case is based on circumstantial evidence and one of the witnesses namely, Sourav Roy has mentioned the

name of the one co-accused person in the statement and not the name of the present petitioner.

6. Upon further perusal of the materials in the case diary although the involvement of the petitioner cannot be ruled out at this stage but considering the fact that the case involves examination of about twenty five witnesses and it may take a considerable time and the petitioner is in custody for about one year ten months, in the interest of justice the petitioner should be granted an opportunity to remain on bail.
7. Accordingly, the prayer for bail is allowed.
8. Hence the petitioner be released with two sureties of Rs. 20,000/- (Rupees Twenty Thousand Only), one of whom must be local subject to the satisfaction of the learned Chief Judicial Magistrate, Raiganj subject to the condition that the petitioner shall meet the Officer-in-Charge of the concerned police station once in a week where the petitioner resides and shall not meet or intimidate the persons acquainted with the facts and circumstances of the case and/or shall not tamper with evidence in any manner whatsoever. The petitioner shall not leave the jurisdiction of the Court without prior leave of the learned Trial Court. The petitioner shall appear before the Trial Court on each and every day of substantive hearing subject to the provisions of Section 317 of the Code of

Criminal Procedure, 1973/Section 355 of the Bhartiya Nagarik Suraksha Sanhita, 2023. If any of the conditions is violated the learned Trial Court is entitled to cancel the bail.

9. The application being CRM(M) 1910 of 2025 is disposed of.
10. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.
11. Urgent Photostat Certified copy of this order, if applied for, be supplied to the parties upon compliance with all necessary formalities.

**(Biswaroop Chowdhury, J.)**