

09.10.2025
Court No.7
Item No.11
S.M./S.K
Vacation
Bench
(Partly
Allowed)

CRM (M) 1950 of 2025

In Re:- An application for Bail under Section 483 of the Bhartiya
Nagarik Suraksha Sanhita (BNSS), 2023. In connection with
Kaliganj Police Station Case no. 534 of 2025 dated 23.06.2025 under
Sections 190/191(2)/191(3)/118(2)/109/103/305 of the BNS.

And

In the matter of : **Nabab Sk. & Anr.**

...Petitioners

Mr. Sabir Ahmed
Mr. Litan Maitra
Mr. Shraman Sarkar

...for the Petitioners.

Mr. Samim Ahammed
Mr. Sayed Chandan Hossain
Mr. Arka Maiti
Ms. Gulsanwara Pervin

...for the de-facto complainant.

Mr. Arijit Ganguly
Mr. Debanshu Ghorai

...for the State.

1. Learned advocate for the petitioners, learned advocate for the
de-facto complainant and learned advocate for the State of
West Bengal are present.
2. Heard the learned advocates for the parties and perused the
materials on the case diary.
3. Learned advocate for the petitioners submits that the
petitioners are falsely implicated in the instant case. The
petitioners' name is not mentioned by the de-facto
complainant in the statement made under Section 164 of the
Cr.P.C. before the learned Magistrate.
4. Learned advocate appearing for the State of West Bengal draws

the attention to the statements of different witnesses made under Section 164 of the Cr.P.C. as well as under Section 161 of the Cr.P.C.

5. Learned advocate for the de-facto complainant objects the grant of bail. Upon perusal of the materials on record available in the case diary and considering the statements of the witnesses and that of a local person namely, Jiyarul Sk., this Court is of the view that considering the age of the petitioner no. 2 and the materials available against him in the case diary, the petitioner no. 2 (Habibul @ Rahibul Sk.) being 18 years of age should be released on bail.
6. I, therefore, allow the application for bail made by the petitioner no. 2. The petitioner no. 2 be released on bail upon furnishing a bond of Rs.10,000/- each, subject to satisfaction of learned CJM, Krishnanagar, Nadia. The petitioner no. 2 is released on bail on conditions that he shall meet the Officer-in-Charge of the concerned Police Station once a week and shall not enter into the area where the incident took place and shall not intimidate the persons acquainted with the case and shall attend the learned Trial Court on dates fixed. In the event, there is any violation of the conditions mentioned, the learned Trial Court to cancel the bail.
7. The prayer for bail made by the petitioner no. 1 stands rejected.
8. Accordingly, the application for bail is allowed-in-part.

9. Urgent certified website copy of this order, if applied for, be supplied expeditiously after complying with all, necessary legal formalities.

(Biswaroop Chowdhury, J)