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C.R.M. (M) 2006 of 2025

In Re: An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Karimpur Police Station Case No.113 of 2025 dated 04.06.2025 under Sections 318(4)/316(2)/338/336(3)/340(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023 and adding Section 316(5) of Bharatiya Nyaya Sanhita;

Subhendu Das Bairagya
Versus
The State of West Bengal

Mr. Jaydeep Biswas
Mr. Asraf Mandal
Mr. Kaushik Ghosh.
...for the petitioner.

Ms. Manisha Sharma
Mr. Sarthak Mondal.
...for the State.

Mr. Dipanjan Chatterjee.
...for the de facto complainant.

Learned advocate for the petitioner submits that the petitioner is in custody for about five months and the investigation of the case has already been concluded, charge-sheet and supplementary charge-sheet has been submitted before the jurisdictional court.

Learned advocate for the State submitted that the de facto complainant has suffered to the tune of Rs.1.4 crore because of the alleged offence committed at the behest of the present petitioner.

Learned advocate for the de facto complainant on the other hand submits that the de facto complainant happens to be an old ailing lady who reposed faith upon the petitioner. Petitioner

misrepresented to her by accepting cash and misappropriating the aforesaid amounts.

The bank account of the petitioner has been attached. Police has traced out the money trail and has been able to establish her case which on the face of it reveals the commission of offence at the behest of the petitioner.

I have perused the materials collected by the Investigating Agency and I am of the opinion that a case for trial has been made out but on the facts of the case it reflects that the case is based on documents, consequently further detention of the petitioner is unwarranted.

Accordingly, the prayer for bail of the petitioner is allowed. The petitioner namely, Subhendu Das Bairagya shall be released on bail upon furnishing bond of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties of Rs.10,000/- each, one of whom must be local to the satisfaction of the learned ACJM, Tehatta, Nadia.

If on bail, the petitioner till framing of the charges would meet with the Inspector-in-Charge/Officer-in-Charge, Karimpur Police Station and will not leave the jurisdiction of the District Nadia without the permission of the learned ACJM, Tehatta, Nadia. In case there is violation of any conditions as laid above, the learned Magistrate or the learned trial court would be at liberty to cancel the bail of the petitioner without further reference to this Court.

Accordingly, CRM (M) 2006 of 2025 is allowed.

Case diary be returned to the learned advocate appearing

for the State.

All parties shall act on the server copy of this order duly 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 of all requisite formalities.

(Tirthankar Ghosh, J.)