

25.11.2025
Court No.35.
D/L. 132.
Rakib
(Allowed)

CRM (M) 1981 of 2025

In Re: An Application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Dhantala Police Station Case No. 458 of 2021 dated 29.09.2021 under Sections 363/365/366B/370/34 of the Indian Penal Code and 14 of the Foreigners Act and Section 5 of the Immoral Trafficking (Prevention) Act, 1956.

And

In the matter of : Jagadishroy @ Jaga

.....Petitioner.

Mr. Sayan De
Mr. Kaustav Shome

.....for the Petitioner.

Ms. Baisali Basu
Mr. Trisha Rakshit

.....for the State.

Learned advocate appearing for the petitioner submits that the present petitioner is in custody for one year and five months and the person against whom the BSF initiated the case for acting as a tout in respect of cross-border human trafficking has been released on bail. The main allegation against the present petitioner is that an individual crossed the border and stayed at the house of the present petitioner.

Learned advocate for the State has produced the Case Diary as also drawn the attention of the Court to the statement of the victim under Section 164 of the Code of Criminal Procedure. Learned advocate for the State further submits that there are antecedents of the present petitioner.

However, I have considered the nature of the antecedents and I find the said antecedents are distinguishable from the offence for which the petitioner has been detained.

Prima facie, I do not find from the materials on record that there is any case of sexual assault being made out and the allegations against the petitioner is for harboring the victim. So far as the evidence of the complainant (BSF Authorities) are concerned the same was against Prasenjit Roy. The said Prasenjit Roy has already been granted bail.

It is also submitted that out of the 13 witnesses proposed to be examined by the State only one witness till date has been examined. There is no scope of the trial being concluded in near future.

Having regard to the period of detention by the present petitioner as also the complicity, I am inclined to release the petitioner on bail. As such the prayer for bail of the petitioner is allowed.

Petitioner namely, **Jagadishroy @ Jaga** shall furnish bond of Rs. 20,000/- (Rupees Twenty Thousand only), with two sureties of Rs. 10,000 (Rupees Ten Thousand only) each, one of whom must be local to the satisfaction of the learned Additional Chief Judicial Magistrate, Ranaghat, Nadia.

If on bail, the petitioner shall be physically present on each and every date so fixed by the learned trial Court. The petitioner shall not leave the jurisdiction of Dhantala Police

Station except for the purposes for attending the Court without the permission of the learned trial Court.

Accordingly, CRM (M) No. 1981 of 2025 is **allowed**.

Report submitted by the State be kept with the record.

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.)